THE NINE OF HEARTS

A DETECTIVE STORY

BY

B. L. FARJEON.

WARD, LOCK, BOWDEN & CO.. LONDON, NEW YORK, MELBOURNE & SYDNEY

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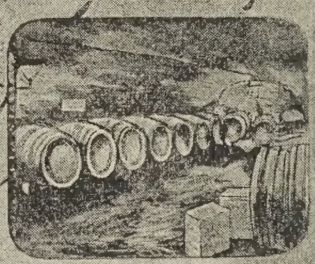
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Composer and Correspondent of the "Era," "Clifton Society," &c.

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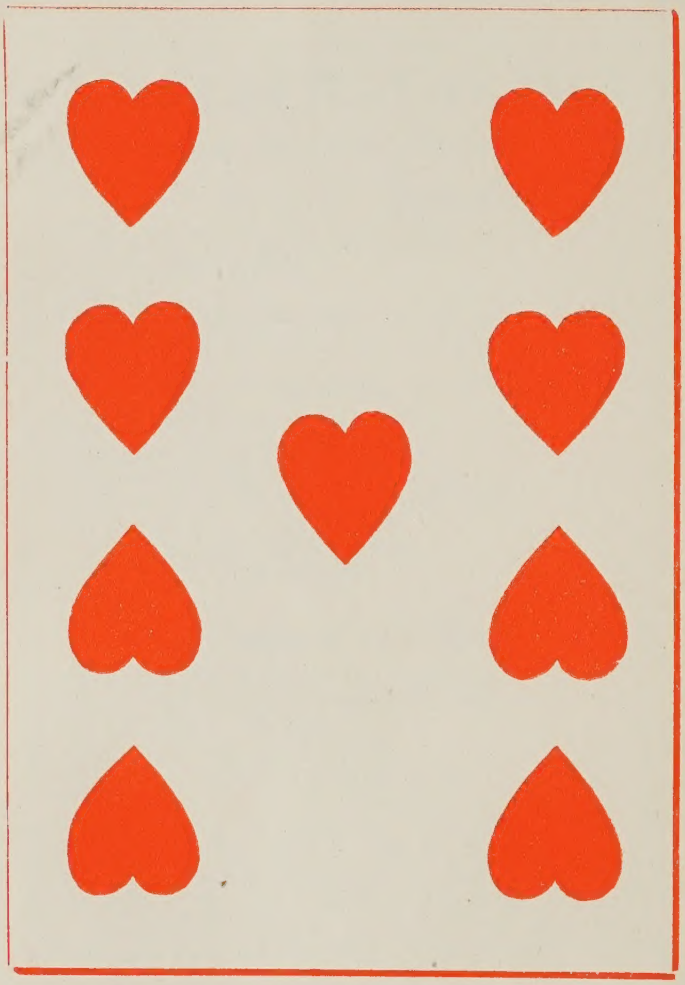

THE

NINE OF HEARTS

A Detective Story

BY

B. L. FARJEON,

AUTHOR OF

"GRIF," "GREAT PORTER SQUARE," "THE GOLDEN LAND

ETC.

WARD, LOCK AND CO.

LONDON, NEW YORK, AND MELBOUNE

1891

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THE NINE OF HEARTS.

PART THE FIRST.

THE TRIAL OF EDWARD LAYTON.

I.

A STRANGE DECISION.

THIS morning, at the Central Criminal Court, Mr. Justice Fenmore resumed the trial of Edward Layton for the wilful murder of his wife, Agnes Layton, on the morning of the 26th of March, by the administration of poisonous narcotics in such quantities as to produce death. Extraordinary as was the excitement caused by yesterday's proceedings, the public interest in this mysterious murder was intensified by the strange decision arrived at by the prisoner on this the third day of his trial.

The Attorney General, Mr. J. Protheroe, Q.C., and Mr. Standing conducted the case on behalf of the Crown.

The widely-spread rumour that an episode of a startling character was impending received confirmation immediately upon the entrance of the prisoner in the dock. He presented a careworn

appearance, and while the usual formalities were in progress, it was observed that he and his Counsel (Mr. Bainbridge, Q.C.) were in earnest consultation, and it appeared as if the learned gentleman were endeavouring to overcome some resolution which the prisoner had formed. At the termination of this conversation Mr. Bainbridge, turning to the bench, said—

"I have to claim your lordship's indulgence for a statement which I find it necessary to make. It is in the remembrance of your lordship that on the first day of this trial the prisoner was undefended, being, as it appeared, resolutely determined to defend himself. Yesterday morning—that is, upon the second day of the trial—I informed your lordship that the prisoner had been prevailed upon by his friends to entrust his defence to me. Being satisfied in my own mind that nothing would occur to disturb this arrangement—which I venture to say was an advisable one—I did not feel called upon to mention that the prisoner's consent to accept legal aid was very reluctantly given. That this was so, however, is proved by what has since transpired. Both in writing and by word of mouth the prisoner now insists upon conducting his own case, and has distinctly informed me that he will not permit me to act for him. I am empowered to say that his decision is not in any sense personal to myself. It

is simply, and regrettably, that he has resolved not to be defended or represented by counsel. In these circumstances I have no option but to place myself in your lordship's hands.

Prisoner: My lord—

Mr. Justice Fenmore: Silence. Your counsel will speak for you.

Prisoner: My lord, I have no counsel. I am defending myself, and no person shall speak for me.

Mr. Justice Fenmore: Prisoner at the bar, it is my duty to tell you that the decision at which you have arrived is grave and unwise.

Prisoner: Of that, my lord, I am the best judge.

Mr. Justice Fenmore: You may not be. It is scarcely necessary for me to point out to you, a man of intelligence and good education, that there are points in every case, and especially in a case so momentous as this, which an unjudicial, or, to speak more correctly, a mind not legally trained, is almost certain to overlook.

Prisoner: I understand your lordship, and I thank you; but if my acquittal of the terrible crime for which I am now being tried is to be brought about by legal technicalities, I shall prefer not to owe my release to those means. I, better than any man here—unless, indeed, the actual murderer be present—know whether I am innocent or guilty, and in the course I have determined to

pursue I am acting in what I believe to be my best interests. Your lordship has referred to me as a man of intelligence and good education. These qualifications will sufficiently serve me, but I do not rely upon them alone. I have really had some sort of legal training, and as I assuredly know that I shall conduct my own defence in a manner which will recommend itself to my heart and my conscience, so do I believe that, if I choose to exercise it—and I suppose most men in my position would so choose—I have legal knowledge sufficient for my needs. The learned counsel who has addressed your lordship has put the matter most fairly. My consent that he should defend me was reluctantly given, and I reserved to myself the right to withdraw it. He has mentioned that this withdrawal is not personal to himself. It is true. To him, above all others, would I entrust my defence, were it not that I have cogent and imperative reasons for trusting no man. I shall not displease one so earnest and high-minded as he when I state that he once gave me his friendship, and that I felt honoured by it. Your lordship will pardon me for this statement, the admission of which I feel to be unusual in such a case. I have made it only for the purpose of emphasizing his correct view. My lord, I stand upon my rights. I will conduct my own defence

The trial was then proceeded with.

II.

THE EVIDENCE OF JAMES MOORHOUSE, COACHMAN.

The first witness called was James Moorhouse, whose examination was looked forward to with great interest, as likely to tell heavily either for or against the prisoner. He is a sturdy man, of middle age, with an expression of intense earnestness in his face, and although he gave his evidence in a perfectly straightforward manner, it was apparent that his sympathies were with the prisoner.

The Attorney General: Your name is James Moorhouse?

Witness: It is, sir.

The Attorney General: Were you in the prisoner's employment?

Witness: Yes, sir.

The Attorney General: In what capacity?

Witness: As his coachman.

The Attorney General: For how long were you so employed?

Witness: For a matter of three years.

The Attorney General: Are you a teetotaler?

Witness: Yes, sir.

The Attorney General: During the three years you worked for the prisoner were you in the habit of driving him out regularly?

Witness: Yes, sir; pretty nearly every day.

The Attorney General: Were you the only coachman on the establishment?

Witness: I was, sir.

The Attorney General: Being in his employment so long, you are, I suppose, perfectly familiar with his figure?

Witness: I am, sir; without hearing his voice, I should know him in the dark.

The Attorney General: You are sure of that?

Witness: Quite sure, sir.

The Attorney General: Is your eyesight good?

Witness: It is very strong. I can see a longish way.

The Attorney General: You have been in the habit of driving the prisoner often at night?

Witness: Yes, sir.

The Attorney General: And your eyes, therefore, have got trained to his figure, as it were?

Witness: Yes, sir.

The Attorney General: You have had to look out for him on dark nights from a distance?

Witness: I have had to do that, sir.

The Attorney General: When the people were coming out of a theatre, for instance?

Witness: Yes, sir; and at other places as well.

The Attorney General: Therefore, it is not likely you could be mistaken in him?

Witness: It is hardly possible, sir.

The Attorney General: You remember the night of the 25th of March?

Witness: Yes, sir, and the day too.

The Attorney General: Why do you include the day in your answer?

Witness: Because it was the hardest day's work I have done for many a year.

The Attorney General: The hardest day's driving, do you mean?

Witness: Yes, sir. I was on the box from eleven o'clock in the morning till an hour past midnight.

The Attorney General: Driving your master, the prisoner?

Witness: Yes, sir.

The Attorney General: And no other person?

Witness: Not till evening, sir. It was about——

The Attorney General: We will come to the particulars presently. You were not driving all the time?

Witness: No, sir; the horses couldn't have stood it.

The Attorney General: Do you mean that there were stoppages?

Witness: Yes, sir.

The Attorney General: Did the prisoner usually work his horses so hard?

Witness: Not at all, sir. He was a good master to man and beast.

The Attorney General: Why do you look so frequently at the prisoner?

Witness: I can't tell you, sir, except that I shouldn't like to say anything to hurt him.

The Attorney General: But you are here to speak the truth.

Witness: I intend to speak it, sir.

The Attorney General: For reasons which you have given, your remembrance of what occurred on the 25th of March is likely to be exceptionally faithful?

Witness: For those and other reasons, sir.

The Attorney General: Now, commence on the morning of that day. What were your first instructions?

Witness: To be ready with the carriage at eleven o'clock.

The Attorney General: You were ready?

Witness: Yes, sir.

The Attorney General: In what way did you fix the time? By guessing?

Witness: By my watch, sir—the best time-keeper in London.

The Attorney General: At eleven o'clock, then, you were on the box waiting for your master?

Witness: Yes, sir.

The Attorney General: He came out to you?

Witness: Yes, sir.

The Attorney General: Did he tell you immediately where to drive to?

Witness: Not immediately, sir. He stood with his hand on the carriage door, and seemed to be considering.

The Attorney General: Did he remain long considering?

Witness: For three or four minutes, sir—which seemed a longish time.

The Attorney General: And then?

Witness: Then he told me to drive to Finchley.

The Attorney General: What address did he give you?

Witness: None in particular, sir. He said, "Drive to Finchley, on the road to High Barnet. I will tell you when to stop."

The Attorney General: Well?

Witness: I drove as directed, and when we were about midway between Finchley and High Barnet he called to me to stop.

The Attorney General: Were you then at the gate, or in the front of any house?

Witness: No, sir. We were on the high road, and there was no house within twenty yards of us.

The Attorney General: Are you familiar with the locality?

Witness: No, sir, I am not.

The Attorney General: You had never driven your master there before?

Witness: Never, sir.

The Attorney General: Would you be able to mark the point of stoppage on a map of the road between Finchley and High Barnet?

Witness: I will try, sir, but I shouldn't like to be positive.

(A map was here handed to the witness, who, after a careful study of it, made a mark upon it with a pencil.)

The Attorney General: You will not swear that this is the exact spot.

Witness: No, sir.

The Attorney General: But to the best of your knowledge it is?

Witness: Yes, sir, to the best of my knowledge.

The Attorney General: The prisoner called to you to stop. What then?

Witness: I drew up immediately, and he got out.

The Attorney General: What were his next instructions?

Witness: He told me to wait for him, and to turn the horses' heads.

The Attorney General: Towards London?

Witness: Yes, sir.

The Attorney General: Did he say how long he would be away?

Witness: About five or ten minutes he said.

The Attorney General: In point of fact, how long was it before he returned?

Witness: Thirty-two minutes by my watch.

The Attorney General: You always time yourself?

Witness: Yes, sir, always; it's a habit.

The Attorney General: Did he make any remark, upon his return, about his being away longer than he expected?

Witness: No, sir. He seemed to be occupied with something.

The Attorney General: Occupied in thinking of something?

Witness: Yes, sir.

The Attorney General: When he left you, in which direction did he go?

Witness: He walked on towards High Barnet till he came to a bend in the road. He went round that, and I lost sight of him.

The Attorney General: Did he return the same way?

Witness: No, sir; he startled me a bit.

The Attorney General: How?

Witness: I was looking out for him in the direction he had taken, when I suddenly heard him speak at my elbow.

The Attorney General: How do you account for it?

Witness: He must have taken a short cut back across some fields. If I had been on my box I might have seen him, but I was standing in the road, and there was a hedge, more than man high, on the side he came back to me.

The Attorney General: What did you do when he reappeared?

Witness: I prepared to start.

The Attorney General: Did he tell you immediately where to drive to?

Witness: No, sir. He stood considering, just as he did when we first set out.

The Attorney General: And then?

Witness: He told me to drive back the way we had come, but not to drive too quickly.

The Attorney General: You did so?

Witness: Yes, sir.

The Attorney General: Where did you next stop?

Witness: Midway between Finchley and Crouch End.

The Attorney General: At a house?

Witness: No, sir, at a part of the road where there were no houses.

The Attorney General: He called to you, as before, to stop?

Witness: Yes, sir. He got out, and said, "Moorhouse, meet me here in about an hour or

an hour and a quarter." I said, "Yes, sir," and I asked him whether I should bait the horses at an inn we had passed half a mile down the road. He did not answer me, but walked quickly away.

The Attorney General: Can you say why he did not answer you?

Witness: No, sir, except that he did not hear me.

The Attorney General: You spoke distinctly?

Witness: Yes, sir.

The Attorney General: Have you observed, at any time during your employment, that he was at all deaf?

Witness: No, sir; but he seemed, the whole of that day, to have something on his mind which kept him from thinking of anything else, or attending to it.

The Attorney General: After he walked quickly away, what did you do?

Witness: As I had more than an hour to spare I drove back to the inn I spoke of, and baited my horses, and had a bite of bread and cheese myself.

The Attorney General: Anything to drink?

Witness: A bottle of ginger beer.

The Attorney General: Timing yourself as usual, were you back on the spot you left the prisoner at the end of the hour and a quarter?

Witness: To the minute.

The Attorney General: Was he waiting for you?

Witness: No, sir. I saw nothing of him for another two hours.

The Attorney General: Did he return by the road he quitted you?

Witness: No, sir. He came back another way.

The Attorney General: As before?

Witness: Yes, sir, as before.

The Attorney General: What time was it, then?

Witness: Seven o'clock.

The Attorney General: Was it getting dark?

Witness: It was already dark, sir, and beginning to drizzle.

The Attorney General: What were the next instructions?

Witness: To drive to the Metropolitan Music Hall, Edgware Road.

The Attorney General: You drove there?

Witness: Yes, sir, and my master got out?

The Attorney General: Saying what?

Witness: "Moorhouse," he said, "I don't know how long I shall remain here. It may be an hour or only a few minutes. Keep near."

The Attorney General: You obeyed his instructions?

Witness: Yes, sir. I kept within hail, and my master came out at half-past nine.

The Attorney General: Alone?

Witness: No, sir. He was accompanied by a man.

The Attorney General: A young or an old man?

Witness: I can't say.

The Attorney General: But you saw him?

Witness: Only his back. They walked away from the carriage.

The Attorney General: There is generally something in the gait of a man which, within limits, denotes his age—that is to say, as whether he is young or old? Cannot you be guided by that fact?

Witness: No, sir; I paid no particular attention to him. It was my master I was chiefly observing.

The Attorney General: You have not the slightest idea as to the age of the man who came out of the Metropolitan Music Hall with the prisoner?

Witness: Not the slightest, sir.

The Attorney General: Did you observe nothing particular as to his dress? Was there any peculiarity about it?

Witness: I observed nothing particular about him. Whatever I might say of the man, paying such little attention to him, wouldn't be worth much.

The Attorney General: I recognize that you are giving your evidence in a very fair manner, and if I press you upon any point it is for the purpose of assisting your memory. You recollect that the

prisoner, on that night, wore a coat of a distinct pattern?

Witness: Yes, sir, He had on an ulster with a Scotch check, which couldn't be mistaken.

The Attorney General: What was it lined with?

Witness: With blue cloth.

The Attorney General: He wore this ulster when he entered the music hall?

Witness: Yes, sir, and when he came out of the music hall.

The Attorney General: It is this which makes me think it likely you might have observed some distinguishing mark in the dress of the man who came out with him?

Witness: I have nothing in my mind, sir, respecting his dress.

The Attorney General: Very well, I will no longer press it. As to his height?

Witness: As well as I can remember, he was about the same height as my master.

The Attorney General: Did you notice the colour of his hair, or whether it was long or short?

Witness: No, sir.

The Attorney General: If it had been long white hair, you would most likely have noticed it?

Witness: In that case, yes, sir.

The Attorney General: We may assume, then, that he had not long white hair?

Witness: I think I am safe in saying that much.

The Attorney General: Or white hair at all?

Witness: I shouldn't like to commit myself there, sir. If his hair had been white and short, I don't think it would have struck me.

The Attorney General: Did he and the prisoner walk out of sight?

Witness: No, sir. They walked to the corner of a street, and stood there talking for a little while —I should say for fifteen or twenty minutes. Then the man went away, down the street, which hid him from me, and my master returned to the carriage.

The Attorney General: While they were talking, their backs were still turned to you?

Witness: Yes, sir.

The Attorney General: Was there anything observable in their manner of conversing? Were they calm? Did they remain perfectly still?

Witness: No, sir. My master was calm enough, but his companion appeared to be very excited. My master seemed to be trying to persuade him to do something.

The Attorney General: From their attitude should you have assumed that his arguments prevailed?

Witness: I can't possibly say, sir.

The Attorney General: Well, then, the man went away, and the prisoner returned to you. What were his next directions?

Witness: To drive to Bloomsbury Square, and stop where he directed me.

The Attorney General: You did so?

Witness: Yes, sir. When we reached the square in Queen Street, he pulled the check string, and I stopped there. He got out of the carriage, and looked about him.

The Attorney General: As if in search of some person?

Witness: Yes, sir.

The Attorney General: Did he make any remark to you?

Witness: He said, "If you see a young lady in a grey cloak pass by, you can tell her I am in the square."

The Attorney General: Did he remain with you after that?

Witness: No, sir, he walked right round the square. When he came up to me he asked if I had seen a young lady dressed as he had described. I told him, no, I hadn't, and he bade me keep a sharp look out, and left me again.

The Attorney General: To walk round the square again?

Witness: Yes, sir. He walked round three or four times, I should say, and every time he came up to me he asked me if I was sure I had not seen the young lady, if I was sure she had not passed me? I gave him the same answer as I did before,

and he left me again. He could not have been more than half way round when I saw a lady in a grey cloak coming my way. She was walking hurriedly, and looking about her. I advanced to speak to her, but she started back the moment I made a step towards her, and ran to the other side of the road, and crossed into the square at a distance from me. I should have gone up to her had I not been afraid to leave my horses; but seeing that she began to walk round the square in the opposite direction my master had taken, I was satisfied that they must meet.

The Attorney General: In point of fact, did they meet? Relate what you saw that bears upon it.

Witness: A little while afterwards I saw them together, talking to each other. They did not walk on the pavement close to the houses, but on the other side, close to the railings. I don't know how many times they made the circle of the square, but they must have been away about twenty minutes or so. Then they came up to me together, and my master opened the door of the carriage, and the lady got in. When she was inside, he said to me that there was no occasion for me to mention what I had seen, or that he had spoken to me about the lady.

The Attorney General: All this time was it raining?

Witness: Yes, sir.

The Attorney General: Did they have umbrellas?

Witness: Neither of them, sir.

The Attorney General: They must have got wet?

Witness: They couldn't help getting wet.

The Attorney General: Did they seem to mind it?

Witness: They didn't say anything about it.

The Attorney General: While they were walking round the square, did they meet any persons?

Witness: A few passed them, and they got out of their way, it seemed to me.

The Attorney General: As if they desired to avoid observation?

Witness: Yes, sir.

The Attorney General: That would be a reasonable construction to put upon the circumstance of their walking, during their conversation, on the least frequented side of the square, near the railings?

Witness: Yes, I think so.

The Attorney General: Although the neighbourhood is a fairly busy one during the day, are there many people passing through Bloomsbury Square at night?

Witness: Not many, I should say.

The Attorney General: The square is not very well lighted up?

Witness: Not very.

The Attorney General: Did you see a policeman while you were waiting?

Witness: One, and only once.

The Attorney General: Did he speak to you?

Witness: No, sir.

The Attorney General: He passed on through the square?

Witness: Yes, sir.

The Attorney General: Reference has been made to an ulster of a peculiar pattern which the prisoner was in the habit of wearing. You said it was an ulster which could not be mistaken. Are you certain of that?

Witness: Quite certain.

The Attorney General: Is it within your recollection how long the prisoner has worn this ulster?

Witness: He had it made last year.

The Attorney General: Would you recognize it if you saw it?

Witness: Oh, yes.

The Attorney General: Is this it? (Ulster produced.)

Witness: Yes, that is it.

The Attorney General: You swear to it?

Witness: I do.

The Attorney General: You have said that the prisoner came out of his house, wearing this ulster. Now, on the occasions you have described, when

the prisoner left his carriage and returned to it, was this ulster ever off his back?

Witness: He wore it all the time.

The Attorney General: You are positive he did not at any time leave you with this ulster on, and return wearing another?

Witness: I am positive of it.

The Attorney General: After the lady got into the carriage, and the prisoner told you there was no occasion for you to mention what you had seen, or that he had spoken to you about the lady, what did he do?

Witness: He told me to drive to Prevost's Restaurant, in Church Street, Soho, and then he got into the carriage.

The Attorney General: At any time during the night did you see the lady's face?

Witness: Not at any time.

The Attorney General: Were you familiar with Prevost's Restaurant?

Witness: No, I had never been there, and I was in doubt where Church Street was. I had to inquire my way.

The Attorney General: Could not the prisoner tell you?

Witness: I asked him, and he said he could not direct me.

The Attorney General: However, you found the restaurant?

Witness: Yes.

The Attorney General: And then?

Witness: My master and the lady entered the restaurant.

The Attorney General: What did your master say to you?

Witness: He told me to wait near the door.

The Attorney General: Did you know what time it was when you drew up at the restaurant?

Witness: It was ten minutes to eleven.

The Attorney General: How long were you kept waiting?

Witness: Exactly an hour and five minutes.

The Attorney General: That will bring it to five minutes to twelve?

Witness: Yes, sir.

The Attorney General: Did the prisoner then come from the restaurant?

Witness: Yes, accompanied by the lady.

The Attorney General: It was still raining?

Witness: Raining hard now.

The Attorney General: Did he appear flurried? Was he excited?

Witness: His movements were very hurried, which I thought was due to the rain, and perhaps to his having had a little too much wine. He opened the door of the carriage quickly, and the lady jumped in, to avoid the rain, I suppose. My master got in quickly after her.

The Attorney General: But he gave you instructions?

Witness: All he said was, "Home!"

The Attorney General: Calmly?

Witness: No, sir. Although he only said one word, I noticed that his voice was thick. It was because of that I suspected he had taken a little too much wine.

The Attorney General: Did you observe that he had his ulster on?

Witness: Yes, he had it on.

The Attorney General: You drove home—and then?

Witness: My master got out, helped the lady out—no, I am making a mistake.

The Attorney General: Commence again.

Witness: My master got out, opened the street door with his latch-key, then returned to the carriage, and helped the lady out, and they both passed into the house.

The Attorney General: Were his actions steady?

Witness: They were not, sir. He seemed to be in a strange hurry.

The Attorney General: Did he say nothing to you?

Witness: Nothing. And thinking my day's work was over, I took the horses to the stable. I was glad enough.

The Attorney General: The prisoner was in the habit of carrying a latch-key?

Witness: Yes, and always let himself into the house.

The Attorney General: Did you observe whether the gas in the hall was lighted?

Witness: It was. It was always kept on when my master was out. His habit was to turn it off himself, the servants sometimes being abed.

The Attorney General: Now, during the time you were in the prisoner's employment, had you ever passed such a day as this you have described?

Witness: Never.

The Attorney General: Did you ever know him to come home with a lady, alone, at that hour of the night?

Witness: Never.

The Attorney General: All the incidents of the day were unusual?

Witness: Very unusual. I thought them very strange.

The Attorney General: The question I am about to put is, in another form, partly a repetition of one you have already answered. Did you ever know the prisoner to come home in the carriage late at night with a strange lady—that is, with any other lady than his wife?

Witness: Never. With a gentleman sometimes, and sometimes with more than one gentleman. But never with a strange lady.

The Attorney General: He occasionally came home late with friends?

Witness: Oh, yes; but then his wife was always with him.

The Attorney General: During the last few months was this usual?

Witness: No. Mrs. Layton was an invalid, and seldom drove out—not once during the last three or four months at night.

The Attorney General: On the day we have gone through, the 25th of March, did you see anything of Mrs. Layton?

Witness: No, sir, she was seriously ill.

The Attorney General: That, however, is not within your personal observation?

Witness: No, sir. My duties were outside the house.

The Attorney General: The lady whom he brought home on the night of the 25th of March was not his wife?

Witness: No, sir. Mrs. Layton had been confined to her room for several weeks.

The Attorney General: You are quite positive on this point?

Witness: Quite positive, sir.

The Attorney General: That will do.

To the surprise of every person in court, who expected that the witness would be subjected to a long cross-examination, the prisoner asked but few questions.

Prisoner: You say that at five minutes to twelve I came out of Prevost's Restaurant?

Witness: You and the lady, sir.

Prisoner: It was a dark night?

Witness: It was, sir.

Prisoner: Did I call for you?

Witness: No, sir. I saw you come out of the restaurant with the lady, and I drew up at once. I was within half a dozen yards of the door.

Prisoner: When the lady and I got into the carriage, as you say, and I called out, "Home!" you observed that my voice was thick and my manner flurried.

Witness: Yes, sir.

Prisoner: Did it occur to you then, or does it occur to you now, that the voice which uttered that word was not my voice?

Witness: No, sir,

Prisoner: You are certain it was my voice?

Witness: Yes, sir.

Prisoner: I wore my ulster?

Witness: Yes, sir.

Prisoner: You drove home, and you saw me open the street door with a latch-key, and pass into the house with the lady?

Witness: Yes, sir.

Prisoner: Still with my ulster on?

Witness: Yes, sir.

Prisoner: Did I turn my face towards you?

Witness: No, sir.

Prisoner: If I had done so, could you have recognized my features in the darkness?

Witness: Scarcely, sir.

Prisoner: You know nothing more?

Witness: Nothing more, sir.

Prisoner: I do not put the question offensively—you have been a good servant, and I have never had occasion to find fault with you—but you are positive that the version you have given of my later movements is correct?

Witness (who appeared much distressed): I am positive, sir.

Prisoner: I have nothing more to ask, Moorhouse.

Witness: Thank you, sir.

Re-examined: You are a strict teetotaler?

Witness: Yes, sir.

The Attorney General: Did you take any ale or spirits during the day?

Witness: No, sir. I have touched neither for years.

The Attorney General: The prisoner's figure being familiar to you, and your eyesight being so strong that you could distinguish him in the dark-

ness, is it likely that you could be mistaken in him on this night?

Witness (reluctantly): It is not likely, sir.

The Attorney General: Scarcely possible?

Witness: Scarcely possible, sir.

III.

THE EVIDENCE OF ADOLF WOLFSTEIN, WAITER.

The next witness called was Adolf Wolfstein, a waiter in Prevost's Restaurant.

The Attorney General: Your name is Adolf Wolfstein?

Witness: Yes.

The Attorney General: What is your trade?

Witness: I am a waiter.

The Attorney General: Where are you employed?

Witness: At Prevost's, in Church Street, Soho.

The Attorney General: How long have you been in employment there?

Witness: A little more than seven weeks.

The Attorney General: Do you remember the date on which you entered your present service?

Witness: Yes, it was the 25th of March.

The Attorney General: So that the 25th of March is impressed upon your memory?

Witness: It is for another reason impressed upon my memory.

The Attorney General: Simply answer the questions I put to you. You are a German?

Witness: No, I am French.

The Attorney General: But your name is German, is it not?

Witness: Wolfstein is. It was my father's name, who settled in France when he was a young man.

The Attorney General: You understand English perfectly?

Witness: Oh, yes; perfectly. I spoke it when I was a boy.

The Attorney General: Look at the prisoner. Do you recognize him?

Witness: Yes.

The Attorney General: Did you see him on the 25th of March?

Witness: Yes. Monsieur came to the restaurant on that day.

The Attorney General: At what hour?

Witness: At eleven o'clock at night.

The Attorney General: Was he alone?

Witness: No; monsieur had a lady with him.

The Attorney General: Did he occupy a private room? If you wish to explain yourself on this matter you can do so.

Witness: I was coming down stairs when I

saw monsieur enter from the street with a lady. He looked about him, and seeing me, asked if he could have supper in a private room. I showed monsieur and madame upstairs to a room in which I served.

The Attorney General: What occurred then?

Witness: I handed monsieur the *menu.*

The Attorney General: In English, the bill of fare?

Witness: Yes.

The Attorney General: What did he order?

Witness: Tortue claire.

The Attorney General: In English, clear turtle soup?

Witness: Yes.

The Attorney General: Did he consult the lady?

Witness: No.

The Attorney General: Was he long in selecting the kind of soup he ordered?

Witness: No. It was on the instant.

The Attorney General: He merely glanced at the bill of fare?

Witness: That is so.

The Attorney General: Did you get the soup, and place it before him?

Witness: I first asked monsieur, "For two?" He said quickly, "Yes, for two." Then I served it.

The Attorney General: In a tureen?

Witness: Yes, in a tureen.

The Attorney General: When you placed the soup before him, did he order any wine?

Witness: I handed monsieur the wine list, and he said, "Champagne." I asked him of what kind. He said, the best.

The Attorney General: You brought the best?

Witness: Yes.

The Attorney General: That is, the most expensive?

Witness: Of necessity.

The Attorney General: When you placed the wine before him, did you observe anything that struck you as unusual?

Witness: Yes; it was that, like other people, they should have been drinking their soup, or have finished it; but they had not drank it.

The Attorney General: Had it been served from the tureen into their plates?

Witness: No, not a spoonful. It was as I brought it—not touched.

The Attorney General: As they were not eating, what were they doing?

Witness: They were engaged in conversation.

The Attorney General: Very earnestly?

Witness: Very earnestly.

The Attorney General: And speaking very low?

Witness: Very low.

The Attorney General: Did you hear anything they said?

Witness: Not a word.

The Attorney General: Upon observing that they had not commenced their soup, did you make any remark?

Witness: Yes. I said, "Does not monsieur like the soup?"

The Attorney General: What was his answer?

Witness: He answered, "Oh, yes, it is very good," and slightly pushed the tureen away with his hand.

The Attorney General: Indicating that he had done with it?

Witness: I regarded it so, and I removed it?

The Attorney General: Did he object to its being removed?

Witness: No, not at all.

The Attorney General: Did the lady object—did she seem surprised?

Witness: No; she said not a word, nor did she look surprised.

The Attorney General: Your answer to the last question causes me to ask whether the lady was old or young?

Witness: But I do not know.

The Attorney General: You said she did not look surprised?

Witness: It is that she did not appear surprised. She did not look up. In truth, she had her veil down.

The Attorney General: Had she removed her cloak?

Witness: No.

The Attorney General: Did she keep it on all the time she was in the room?

Witness: Yes; all the time.

The Attorney General: Now, when you asked the prisoner if he liked the soup, and he answered, "Oh, yes, it is very good," you were surprised to find that they had not drank a spoonful?

Witness: Why, yes, it was surprising.

The Attorney General: Did the prisoner pour out the champagne?

Witness: I filled a glass for madame and one for monsieur.

The Attorney General: Did the prisoner order another dish?

Witness: I asked monsieur, "What will you have to follow?" and handed him the *menu*—the bill of fare. He said, "Salmon cutlets." "For two, monsieur?" I asked. "For two," he said. I served them.

The Attorney General: Did he at any time summon you by ringing the bell?

Witness: No. It appeared to me that monsieur did not wish to be disturbed; therefore I did not disturb him, but I noticed.

The Attorney General: You noticed what?

Witness: That as with the soup, monsieur ate nothing, and helped madame to nothing. I waited till I thought it was time, and then I went to the table, and asked whether he did not like the salmon cutlets. Monsieur answered, "Oh, yes, they are very good," and pushed them away as before. I removed them, as with the soup. "What will monsieur have to follow?" I asked. "Ices," he said. "Vanille?" I asked. "Yes," he said, "Vanille." I brought them. They were not eaten.

The Attorney General: Did they drink the wine?

Witness: Monsieur once raised his glass to his lips, but tasted it only, and as if he had no heart in it.

The Attorney General: Did he order anything else?

Witness: No. When I asked him, he said, "The bill." I brought it.

The Attorney General: What did it amount to?

Witness: One pound four shillings.

The Attorney General: How much of the champagne was drank?

Witness: Half a glass—not more.

The Attorney General: Did not the lady drink any of hers?

Witness: Not any.

The Attorney General: Did the prisoner make any remark as to the amount of the bill?

Witness: Oh, no; he gave me a sovereign and a half-sovereign, and said, "That will do."

The Attorney General: Meaning that you could keep the change?

Witness: I took it so, and he said nothing.

The Attorney General: A good customer?

Witness: A very good customer. Not many such.

The Attorney General: Without a murmur or a remark, the prisoner paid you thirty shillings for half a glass of champagne?

Witness: That is so. It was, as I say, surprising. I did not forget it.

The Attorney General: It was not a circumstance to forget. You say that the lady who accompanied the prisoner did not remove her cloak or veil. Was that the case the whole of the time she was in the room?

Witness: The whole of the time.

The Attorney General: Her gloves—did she wear those the whole of the time?

Witness: But, no. I remember once seeing her hand ungloved.

The Attorney General: Her right or left hand? Be particular in your answer, and think before you speak, if it is necessary. My object is to ascertain whether the lady was married, and wore a wedding ring.

Witness (smiling): But a wedding ring

matters not. Those wear them who are not married.

The Attorney General: Reply to my question. Was it her right or her left hand which you saw ungloved?

Witness: I cannot remember.

The Attorney General: Try.

Witness: It is of no use. I cannot remember.

The Attorney General: Can you remember whether it was a small or a large hand?

Witness: It was a small, white hand.

The Attorney General: The hand presumably of a lady?

Witness: Or of a member of the theatre. Who can tell? We have many such.

The Attorney General: Were there rings upon her fingers?

Witness: I observed one of turquoises and diamonds.

The Attorney General: Was it a ring with any particular setting by which it could be identified?

Witness: A ring set with diamonds and turquoises. That is all I know.

The Attorney General: Would you recognize it again if you saw it?

Witness: I cannot say. I think not. I did not particularly remark it.

The Attorney General: Did you remark the colour of her gloves?

Witness: They were black gloves.

The Attorney General: Of kid?

Witness: Yes, of kid.

The Attorney General: At what time did the prisoner and his companion leave the restaurant?

Witness: It must have been about twelve.

The Attorney General: Why do you say, "It must have been about twelve?"

Witness: Because I did not see them leave the room.

The Attorney General: You can, however, fix the time within a few minutes?

Witness: Oh, yes. At a quarter to twelve, as near as I can remember, I had occasion to go down stairs. When I returned, after three or four minutes, monsieur and madame were gone.

The Attorney General: Were you aware that they had a carriage waiting for them?

Witness: Only that I heard so. I did not see it.

The witness was then briefly cross-examined by the prisoner.

Prisoner: You say that you saw me enter the restaurant from the street, and that I asked you if I could have supper in a private room?

Witness: That is so.

Prisoner: Did you show me into a private room?

Witness: Yes.

Prisoner: Where other persons could not enter

Witness: Oh, no; it was a room for six or eight persons.

Prisoner: During the time I was there, did you attend to other persons besides me?

Witness: Yes.

Prisoner: The room was not strictly private?

Witness: As private as I have said.

Prisoner: What was the first thing I did when I went to the table you pointed out to me?

Witness: You removed your overcoat. It was wet with rain; and it surprised me that madame did not remove hers, which was also wet with rain.

Mr. Justice Fenmore: Do not make remarks. Simply answer the questions put to you.

Witness: Yes, my lord.

Prisoner: What did I do with the overcoat when I had taken it off?

Witness: You hung it up behind you.

Prisoner: On a peg in the wall?

Witness: Yes.

Prisoner: Was this peg quite close to the table at which I sat?

Witness: No, it was at a little distance.

Prisoner: At the back of me?

Witness: Yes.

Prisoner: Did I put the overcoat on before I left the room?

Witness: Yes.

Mr. Justice Fenmore: You have said in examination that you did not see the prisoner and his companion leave the room.

Witness: But when I returned, after being away for three or four minutes, monsieur was gone, and the coat was also gone.

Prisoner: Then you did not see me put on the overcoat?

Witness: No.

Prisoner: I have nothing more to ask you,

Re-examined: Would you be able to recognize the overcoat which the prisoner wore?

Witness: Oh, yes; it was remarkable.

The Attorney General: Is this it? (Ulster produced.)

Witness: Yes; it is the same.

At this stage the court adjourned for luncheon.

IV.

THE EVIDENCE OF LUMLEY RICH, DETECTIVE OFFICER.—THE NINE OF HEARTS.

Upon the re-assembling of the court, the first witness called was Lumley Rich.

The Attorney General: You belong to the detective force?

Witness: I do.

The Attorney General: On the 26th of March were you called to the prisoner's house?

Witness: Yes.

The Attorney General: At what hour of the morning?

Witness: At seven o'clock.

The Attorney General: Was the prisoner in the house at the time?

Witness: He was not.

The Attorney General: Whom did you see for the purpose of information?

Witness: The prisoner's coachman, James Moorhouse, and Ida White, lady's maid, and other servants.

The Attorney General: What passed between you and the coachman?

Witness: I asked him at what time on the previous night the prisoner returned home. He said at about twenty minutes past twelve, and that the prisoner entered his house, accompanied by a lady, opening the street door with his latch-key. I asked him if he had seen the prisoner since, and he replied that he had not. I asked him from what part of his dress the prisoner took the latch-key, and he replied, from the pocket of the ulster he wore.

The Attorney General: Although the prisoner was not at home, was this ulster in his house?

Witness: Yes, it was hanging on the coat rack in the hall.

The Attorney General: Did you take possession of it?

Witness: I did.

The Attorney General: Did you search the pockets?

Witness: Yes.

The Attorney General: What did you find in them?

Witness: The latch-key of the street door, and a playing card.

The Attorney General: Nothing else?

Witness: Nothing else.

The Attorney General: Is this the latch-key? (Latch-key produced.)

Witness: It is.

The Attorney General: Is this the playing card? (Playing card, the Nine of Hearts, produced.)

Witness: It is.

The Attorney General: How do you recognize it?

Witness: By a private mark I put in the corner.

The Attorney General: There was absolutely nothing else in the pockets of the ulster?

Witness: Nothing else.

The Attorney General: Did you see the prisoner before you left the house?

Witness: I did.

The Attorney General: Describe what passed.

Witness: The prisoner suddenly made his

appearance while I was questioning the servants, and inquired my business there. I told him I was an officer, and that I was there because of his wife being found dead in her bed. "Dead!" he cried; "my wife!" and he rushed to her room. I followed him. He looked at her, and sank into a chair. He seemed stupefied. I had his ulster coat hanging on my arm, and I told him I had taken possession of it. He nodded vacantly. A moment or two afterwards he laid his hand upon the ulster, and demanded to know where I had obtained it. I informed him, from the coat rack in the hall. He cried, "Impossible!" and as it seemed to me he was about to speak again, I informed him that anything he said might be used in evidence against him. "In evidence!" he cried, "against me!" "Yes," I replied, "there has been murder done here." "Murder!" he cried; "and I am suspected!" To that remark I did not reply, but repeated my caution. He said, "Thank you," and did not utter another word.

The prisoner did not cross-examine the witness, and this was the more surprising, as it was remarked by all in court, that upon the production of the playing card, the Nine of Hearts, he was greatly agitated.

V.

THE EVIDENCE OF IDA WHITE, LADY'S MAID.

The next witness called was Ida White, an attractive-looking woman, about thirty years of age.

The Attorney General: What is your name?

Witness: Ida White.

The Attorney General: Do you know the prisoner?

Witness: Yes, he was my master.

The Attorney General: In what capacity were you employed?

Witness: I was lady's maid to his wife, my poor dead mistress.

The Attorney General: Were you in her service before she was married?

Witness: Yes.

The Attorney General: What was her maiden name?

Witness: Agnes Beach.

The Attorney General: When you first entered her service were her parents alive?

Witness: Both of them.

The Attorney General: Do they still live?

Witness: No. Mrs. Beach died on my mistress's wedding day; Mr. Beach died in February of this year.

The Attorney General: Was your late mistress very much affected at her mother's death?

Witness: She almost lost her reason. She fell into a fever, and was scarcely expected to live. It was weeks before she recovered.

The Attorney General: Have you any knowledge of the circumstances of your mistress's engagement with the prisoner?

Witness: She was very much in love with him.

The Attorney General: And he with her?

Witness: I don't think so.

The Attorney General: And according to your observation, not being in love with her, he engaged himself to her?

Witness: Yes.

The Attorney General: Was she a good-looking woman?

Witness: She would not generally be considered so.

The Attorney General: Is this a fairly good likeness of her?

(Photograph of the deceased produced, which, after the witness had examined it, was handed to the jury. It represented a woman, very plain, with a face which seemed to lack intelligence.)

Witness: It is very like her.

The Attorney General: Was she strong-minded?

Witness: No, she was not; but she was very obstinate when she took it into her head.

The Attorney General: How old was she at the time of her engagement with the prisoner?

Witness: Twenty-eight.

The Attorney General: Do you know the prisoner's age at the time?

Witness: My mistress told me he was twenty-four.

The Attorney General: Was she well-formed?

Witness: No.

The Attorney General: Had she a good figure?

Witness: No.

The Attorney General: Many plain women have some peculiar attraction, either in manners or features. Had she anything of this kind to distinguish her?

Witness: I cannot say she had.

The Attorney General: But there might have been other attractions. Was she brilliant in conversation?

Witness: On the contrary. She had very little to say for herself upon general subjects.

The Attorney General: But she was passionately in love with the prisoner?

Witness: Passionately.

The Attorney General: Did she limp?

Witness: Yes. One leg was shorter than the other

The Attorney General: Had she known the prisoner for any length of time before the engagement?

Witness: For a few weeks only, I believe.

The Attorney General: In what way did he make her acquaintance?

Witness: He came to the house?

The Attorney General: In a friendly way?

Witness: He came first upon business.

The Attorney General: To see whom?

Witness: My mistress's father, Mr. Beach.

The Attorney General: Upon what business?

Witness: Upon betting business, my mistress said.

The Attorney General: What was Mr. Beach's occupation?

Witness: He was a bookmaker.

The Attorney General: A betting man?

Witness: Yes. He used to make large books.

The Attorney General: On racing?

Witness: Yes.

The Attorney General: Was he an educated man?

Witness: No.

The Attorney General: Would you call him a vulgar man?

Witness: Yes.

The Attorney General: Did he move in good society?

Witness: He did not.

The Attorney General: But he was rich?

Witness: Very rich. He drank a great deal of champagne.

The Attorney General: You say the prisoner first came to the house upon business. Do you know upon what particular business?

Witness: It was something about horses and bets he had made upon them.

The Attorney General: Bets which he had lost?

Witness: Yes.

The Attorney General: How was it that your mistress became acquainted with him on that occasion, when the fact was that he came upon business?

Witness: He was asked by Mr. Beach to stay to dinner, and he stayed.

The Attorney General: Mr. Beach, you say, was not in good society. Had he any desire to get into it?

Witness: He was crazy about it.

The Attorney General: Upon the first occasion of the prisoner dining at Mr. Beach's house, did your mistress make any remark with reference to the prisoner?

Witness: She never ceased speaking about him. She said she had seen the handsomest man in the world.

The Attorney General: Narrate as briefly as

you can what occurred between your mistress and the prisoner up to the time they were engaged.

Witness: He came five or six times to the house, and every time he came my mistress was more and more in love with him. I understood from what she told me that he was in difficulties, and that he had lost a great deal of money at horse racing.

The Attorney General: Did he keep racing horses?

Witness: I did not understand that, but that he had been betting upon horses. There was money owing not only to Mr. Beach, but to other bookmakers as well, and the prisoner wished Mr. Beach to arrange the whole matter. "Those things are easily arranged," I said to my mistress; "all you have to do is to pay." "But supposing you haven't the money to pay?" asked my mistress. "I thought Mr. Layton was a gentleman," I said. "There are poor gentlemen as well as rich gentlemen," my mistress said, "and my papa gets a lot of money out of all sorts of people." That was true enough; I have heard him and his friends chuckling over it many times, and Mr. Beach used to call them a lot of something fools. I heard a great deal about "swells," as Mr. Beach called them, being ruined by backing horses, and I knew that that was the way he had grown rich. He used to say that he had got a lot of stuck-up swells

under his thumb. "*I* can arrange Mr. Layton's business with papa," my mistress said, and when I found her practising songs at the piano, out of time and out of tune—for she had no ear for music—I knew that she was making up to him. It came about as she wished, and one night she told me she was the happiest woman in the world, that Mr. Layton had proposed, and she had accepted him.

The Attorney General: Were there rejoicings in the house?

Witness: A good many big dinners were given, but I can't say much for the company. My mistress was sometimes very happy, and sometimes very miserable. To-day she complained that he was cold to her, to-morrow she would go on in the most ridiculous way because he gave her a flower, as though it was better than a big diamond.

The Attorney General: Did he seem to be wanting in attention to her during the courtship?

Witness: He wasn't a very warm lover, as far as I could see. But my mistress was so much in love that she put up with anything. He had only to give her a smile or a pleasant word, and you would think she was in heaven.

The Attorney General: How did the prisoner get along with Mr. Beach?

Witness: I know they had words on two or three occasions.

The Attorney General: About what?

Witness: About the settlements. My mistress told me, and she said her father was a screw.

The Attorney General: A screw? What was meant by the word?

Witness: That he was mean and sharp, that was what she meant.

The Attorney General: Go on. That her father was a screw?

Witness: And wanted to bind Mr. Layton down too tight. He had conversations with her about it.

The Attorney General: He! Who?

Witness: Mr. Layton.

The Attorney General: Did he seek these conversations?

Witness: Oh no; they were of her seeking. She was afraid that something might occur to break off the engagement. She said to me more than once, "If anything goes wrong, I shan't care to live." I never in all my life saw a woman so madly in love as she was.

The Attorney General: Do you know the result of those conversations about the settlements between the prisoner and your mistress?

Witness: Both Mr. Beach and Mr. Layton stood out, and I don't believe either of them would have given way if my mistress had not taken it up. She and her father had some warm scenes.

The Attorney General: By "warm" do you mean "angry"?

Witness: Yes.

The Attorney General: Whose money was it that was in dispute?

Witness: Mr. Beach's. He was rich; Mr. Layton had no money to settle. My mistress used to say, "I know that I am not very handsome, but I can make Mr. Layton comfortable all his life, and I am sure we shall get along very well together. Papa shall do whatever I want."

The Attorney General: Then is it your impression that the prisoner paid court to her for her money?

Witness: I don't think he would have looked at her else.

The Attorney General: And that your mistress was aware of it?

Witness: She must have had some notion of it, but it couldn't have been a pleasant thing for her to talk much about, and it seemed to me that she was glad to avoid it. She didn't think she was as plain as she was. No woman does.

The Attorney General: How was the matter finally arranged?

Witness: The money was settled upon my mistress, and after her death it was to go to Mr. Layton.

The Attorney General: Do you know what the amount was?

Witness: My mistress told me it was £20,000.

The Attorney General: Which would come absolutely into the prisoner's possession when his wife died?

Witness: I understood so. My mistress did say something else about the settlement. "There's one thing I would like put in about the money," she said, "and that is, that it shouldn't be his if he married again; but I would not dare to mention it."

The Attorney General: Did she give you a reason for not daring to mention it?

Witness: Yes; that he would break the engagement.

The Attorney General: Now, about the wedding. Was it a private or public wedding?

Witness: Not private—oh, no! not at all! there were at least a hundred at the wedding breakfast, and any amount of champagne was opened.

The Attorney General: What kind of company?

Witness: Mixed—very much mixed.

The Attorney General: Be more explicit. Were there many of Mr. Beach's set there?

Witness: They were all of his set.

The Attorney General: But some of the prisoner's friends were there as well?

Witness: Not one. There were words about it.

The Attorney General: On the wedding day?

Witness: Yes.

The Attorney General: Words between whom?

Witness: Between Mr. Beach and Mr. Layton. I heard Mr. Beach say, "I gave you thirty invitations to fill up;" and Mr. Layton answered, "I didn't fill up one of them. I didn't intend that a friend of mine should meet such a crew as I knew you would get together." "Not good enough for you, I suppose?" said Mr. Beach. "No," said Mr. Layton, "decidedly not good enough," and then he walked away.

The Attorney General: Did your mistress make any remark on the subject?

Witness: No; she was too happy to find fault with anything. She was delighted, too, with the wedding presents. There was nearly a room full of them.

The Attorney General: Many of them from the prisoner's friends?

Witness: Not one.

The Attorney General: Do you mean to inform the court that not a single friend or relative of the prisoner's was present, and that among the wedding presents there was not a single token from his connections?

Witness: Not a single one.

The Attorney General: Well, they were married, and they went away?

Witness: Yes; they took the night train to Paris.

The Attorney General: Did you accompany them?

Witness: No.

The Attorney General: Did your mistress's mother die before they left?

Witness: No; some hours afterwards, and a telegram was sent on to them in Paris, at the Hotel Bristol.

The Attorney General: What is the next thing you remember?

Witness: A telegram arrived from Mr. Layton, requesting me to come to Paris immediately. We received the telegram at about two o'clock on the day after the wedding, and I went by the night train.

The Attorney General: Did any person meet you?

Witness: Yes, Mr. Layton. He said my mistress was very ill, and he took me to the hotel. She was in bed, and she remained there for several weeks. I attended her the whole of the time.

The Attorney General: Did she have good doctors?

Witness: The best that could be got.

The Attorney General: Was the prisoner attentive to her?

Witness: Pretty well; *I* shouldn't have liked it.

The Attorney General: What do you mean by that?

Witness: Well, he never sat by her bedside for any length of time; he never held her hand; he never kissed her. Oh, it is easy to tell when a man loves a woman!

The Attorney General: How long was it before she was able to get about?

Witness: Quite three months.

The Attorney General: Did she then return to England with her husband?

Witness: Not for another month. They went to Italy, and I went with them.

The Attorney General: Did the prisoner's attentions to his wife undergo any marked change after her convalescence? Was he more affectionate—more lovingly attentive?

Witness: Not that I saw. All he seemed to crave for was excitement. It was nothing but rushing here and rushing there. Every night some theatre or entertainment to go to; every day riding about, and dining out at different places.

The Attorney General: So that there was not much of home life?

Witness: None at all.

The Attorney General: Was this state of things agreeable to your mistress?

Witness: I am not sure. Sometimes she suggested to her husband that they should spend a quiet evening at home, but he always replied that he had tickets, or had taken seats, for some place

of entertainment. When she spoke to me of the life they were leading, she used to say how attentive her husband was to her, and how he was always looking out for something to amuse her. But I did not regard it in that light; I thought it was more for himself than for her that he kept up such a round of excitement. It helped him to forget.

The Attorney General: To forget what?

Witness: That he was a married man.

The Attorney General: During those early days were there any quarrels between them?

Witness: No, not what you can call quarrels. Sometimes she complained, or found fault, but he seldom at that time answered her in any way to cause a quarrel—that is, so far as he was concerned. It was different afterwards. There were occasions during their honeymoon—if you can call it a honeymoon—and at first when they were settled at home, when his silence provoked my mistress, and made her madder than an open row would have done. But the more she stormed, the quieter he was, and these scenes always ended in one way: Mr. Layton would leave the house, and remain absent for a good many hours. Then my poor mistress would torment herself dreadfully, and would cry her eyes out, and rave and stamp about like a distracted creature. "He will never come back!" she would say. "I have driven him

from me! He will make away with himself! What a wretch I am!" A ring at the bell, or a knock at the door, would send her flying downstairs to see if it was her husband. I was really afraid sometimes that she would go quite out of her mind. Then, when he came back, she would rush up to him, and throw her arms round his neck, and sob, and fall upon her knees to ask forgiveness. It was a dreadful life to lead.

The Attorney General: In what way would the prisoner receive these tokens of penitence on the part of your mistress?

Witness: In just the same way as he received her scoldings. The one remark I heard him make to her in those days—not always in the same words, but always to the same effect—was, "You should have more control over yourself." I used to wonder that a man could be so provoked and keep so cool. But a person may be cold outside and hot inside.

The Attorney General: Do you think that was the case with the prisoner?

Witness: Yes, I do think so.

The Attorney General: Well, they came home and settled down?

Witness: Yes.

The Attorney General: Now about the home they occupied? Did they rent it, or was it their own property?

Witness: It was their own property. My mistress said it was purchased partly with her own money, and that it was included in the settlements.

The Attorney General: What do you mean by "partly with her own money?" Money she had saved or inherited?

Witness: No; money she won upon races.

The Attorney General: Was she, then, in the habit of betting?

Witness: She used often to put money on a horse. She would say, "Papa has given me a good tip, and I am going to put twenty or thirty pounds on. If you like, Ida, you can have half a sovereign with me."

The Attorney General: And did you?

Witness: Yes, because she wished me, and because she knew I was safe. Mr. Beach was a very knowing man. My mistress would back a tip he gave her at twenty-five to one. I have known her back it at fifty to one. She would do this sometimes before the weights appeared. Then her father would say, "Aggie" (that is what he called her), "Aggie, your horse is at ten or twelve to one. I am going to hedge part of your money for you." As my half-sovereign was in my mistress's bet, of course I went with her. And I more often won than lost.

The Attorney General: Without going minutely into the technicalities of horse racing and betting,

may we take it that the principle of the hedging you have spoken of is wise, from a gambling point of view?

Witness: Oh, yes. By backing a likely horse at a long price, as my mistress had the opportunity of doing through her father, and by laying against it if it comes to a short price, you reduce the chances of losing. That is good hedging.

The Attorney General: Can anybody do that?

Witness: Well, not exactly. Those who are behind the scenes have the best advantage. As a rule the people who back horses are gulls. That is why the bookmakers make fortunes. They are playing at a game they know; nine out of ten who bet with them are playing at a game they don't know. That is how it is. I have heard Mr. Beach say, "The devil is on our side."

The Attorney General: Meaning on the side of the bookmakers?

Witness: Yes.

The Attorney General: Were you fond of betting yourself?

Witness: I hated it. I only did what my mistress advised me to do, to please her.

The Attorney General: To return to the house which was partly paid for with the money your mistress won. Did the prisoner take an active part in the selection of the furniture?

Witness: He did nothing whatever. Every-

thing was done by my mistress, and she was disappointed because he would not go with her to the different establishments she visited. But in the end she argued as she always did when he was in question. He was quite right, she said; she could not expect him to trouble himself about such things; it was a woman's business, and, by leaving everything to her, it showed that he believed she had good taste.

The Attorney General: When they were settled in London, what kind of society did they keep?

Witness: At first the same as used to come to Mr. Beach's house. Mr. Beach brought them, but Mr. Layton was rude and uncivil to them, and after a time they stopped away. I must say if he was rude and uncivil to them, they were quite as rude and uncivil to him, and if he had met them with the temper they displayed, nothing could have prevented the occurrence of disgraceful scenes. He behaved to them in exactly the same way he behaved to my mistress when they disagreed. He left the house, and did not return till they were all gone.

The Attorney General: Were they in the habit of coming to the house without receiving an invitation from its master?

Witness: I believe so. My mistress would say, "Papa is going to bring three or four friends to

dinner." He would look at her, and say nothing; and when the dinner was served Mr. Layton would be absent. Mr. Beach would then take the head of the table, and I have heard him, when he was filled with champagne—he scarcely ever drank anything else but champagne and whiskey—speak very angrily about "the stuck-up pride of his fine gentleman son-in-law." The other guests were not behindhand in abusing him.

The Attorney General: Although they were eating at his table and drinking his wine?

Witness: Yes. At other times in the evening when Mr. Layton was at home with my mistress, Mr. Beach would make his appearance unexpectedly with his friends; but Mr. Layton would never remain in their company. It seemed to me that Mr. Beach did these things to vex Mr. Layton, and that it was a kind of battle between them as to who should be master.

The Attorney General: A battle, however, in which the prisoner did not take any violent part?

Witness: But it ended in his being left the master of the field.

The Attorney General: Explain.

Witness: After twelve months or so Mr. Beach's friends ceased entirely to come to the house. Then, when Mr. Beach came, he came alone.

The Attorney General: On those occasions did the prisoner remain at home?

Witness: Yes, whenever Mr. Beach was alone, Mr. Layton remained in.

The Attorney General: How did they pass the time?

Witness: Playing billiards generally.

The Attorney General: Now, in all the questions I have asked and you have answered, there are two subjects upon which no definite information has been forthcoming. Give your best attention to them. Are you aware that before or at the time of the prisoner's engagement with your mistress, he had been or was engaged to another lady? Take time. You have said that you were in the confidence of your mistress, and that she used to speak freely to you. At any period during these communications did she refer to another engagement?

Witness: It was in this way, and I can't answer the question in any other.

The Attorney General: Answer it as best you can.

Witness: At one time my mistress said, "I wonder if Mr. Layton, before he saw me, was ever in love?" That was the way it was first introduced. I did not know how to answer her without running the risk of hurting her feelings, but she pressed me, and I was forced to say I thought it very unlikely that a gentleman as good-looking as he was should not have had his fancies. She

pressed me further until I said there were very few men of his age who had not been in love. She appeared distressed at this, but soon brightened up, and said, "What is that to me so long as he is mine?" But it weighed upon her mind, as was proved by her telling me at another time that she had asked Mr. Layton whether he had ever been in love, and that he would not give her any satisfaction—which, to my mind, was quite as good as his confessing that he had been. These conversations between my mistress and me took place in the early days, and for some time after her marriage she did not say anything more about it. But when she was laid on a sick bed—I mean within a few months of her being murdered—

The Attorney General: Do not say that. It is for the jury to decide. Say within a few months of her death.

Witness: Well, within a few months of her death she told me at least half a dozen times that she had discovered he had been in love with another lady, and that she believed he was so when he married her. She said it was wicked and abominable, and that if she saw "the creature" she would kill her.

The Attorney General: Supposing this to be true, your mistress never discovered who this other lady was?

Witness: Never to my knowledge.

The Attorney General: As to your mistress's attachment to her husband, did it ever, in your knowledge, grow weaker?

Witness: I don't exactly know how to describe it. She loved and hated him all at once. She was torn to pieces with love and jealousy.

The Attorney General: Is that all you can tell us upon this subject?

Witness: That is all.

The Attorney General: I come now to the second subject. It is concerning the prisoner's family. You have informed us that not one was present at the wedding, and that not one recognized the union by sending a wedding present. Now, are you aware whether he had parents or brothers or sisters?

Witness: All that I heard was that he had a father living. But I did not hear that till more than a year after the marriage.

The Attorney General: Who told you then?

Witness: My mistress. Although she confided nearly everything to me, she kept this to herself for a long time.

The Attorney General: Did not her father, Mr. Beach, speak about it?

Witness: I never heard him; I had very little to do with him. I had understood, at the time of the marriage, that Mr. Layton's father was abroad,

but I had reason to believe afterwards that this was not so; that he was in England.

The Attorney General: Did the prisoner ever speak of it?

Witness: I never heard him.

The Attorney General: Did the prisoner's father never come to the house?

Witness: Never.

The Attorney General: Do you know whether he is alive at the present time?

Witness: I heard that he was dead. My mistress said so.

The Attorney General: Did the prisoner go into mourning?

Witness: He wore crape upon his hat for several weeks.

The Attorney General: Now, concentrate your attention upon the day and the night of the 25th of March. I wish you to narrate, concisely, all that passed, within your own knowledge, concerning the prisoner and his wife from the morning of the 25th of March until the morning of the 26th.

Witness: At ten o'clock in the morning of the 25th my mistress's bell rang, and I went to her room. My instructions were, never to enter her room in the morning until she rang for me. There were two bell ropes, one on each side of the bed, so that on which ever side she was lying one of them was within reach of her hand.

The Attorney General: Stop a moment. Did the prisoner and his wife occupy one room?

Witness: No.

The Attorney General: For how long had this been the case?

Witness: For a good many months. Ever since things began to get worse between them.

The Attorney General: Proceed. You heard your mistress's bell ring, and you entered her room at ten o'clock.

Witness: She said that she had passed a very bad night, that she had had dreadful dreams, and that she was afraid something dreadful was going to happen to her. She asked me if her husband was up, and I told her that he had just entered the breakfast-room, that I had met him on the stairs, and that he inquired whether she was awake, as he wished to speak to her before he went out. My mistress said that she also wished to speak to him, and she asked me if I knew where he was going. Of course I did not know, and I told her so. She often asked me questions which she must have known very well were not possible for me to answer. I washed her, and tidied up the room, and then she desired me to go and tell my master to come to her. I knocked at the door of the breakfast-room three or four times, and, receiving no answer, I opened it. My master was sitting at the table, and he started up when I entered, just

as if I had aroused him from a dream. His face was very pale, and he held a letter in his hand. I noticed that he had not touched the breakfast. I gave him my mistress's message. He nodded, and went to her room at once. The moment he entered my poor mistress began to talk, but he stopped her and ordered me out. "Keep in the next room," my mistress said to me, "I may want you." I went into the next room, and remained there quite half an hour, until my mistress's bell rang again. My master rushed past me as I opened the door, and I saw that my mistress was dreadfully agitated. She was sitting up in bed, and——

The Attorney General: Stop! While you were in the adjoining room did you hear anything?

Witness: Not distinctly.

The Attorney General: Do you mean by that that you could not distinguish the words that were spoken by your master and mistress?

Witness: I could not distinguish the words. I could only hear their voices when they spoke loudly.

The Attorney General: Did they speak loudly on this occasion?

Witness: Very loudly.

The Attorney General: In merriment?

Witness: Quite the contrary. They were quarrelling.

The Attorney General: That is your understanding of their voices?

Witness: I could not be mistaken. Nearly the whole of the time their voices were raised to a high pitch.

The Attorney General: Which of the two voices made the stronger impression upon you?

Witness: My master's. I am certain he was threatening her, as he had done many times during the last few months.

The Attorney General: That is an improper remark for you to make. Confine yourself strictly to the matter in hand, and to the time you are giving evidence upon. When you entered your mistress's room she was sitting up in bed, dreadfully agitated, and your master rushed past you?

Witness: Yes, and she called out after him, "Never, while I am alive! You wish I was dead, don't you, so that you may be free to marry again? But I shan't die yet, unless you kill me!"

The Attorney General: You are positive she made use of these words?

Witness: Quite positive.

The Attorney General: Did the prisoner make any reply?

Witness: None, and his silence appeared to infuriate my mistress. She cried out after him, "You are a villain! you are a villain!"

The Attorney General: Did you see the prisoner again during the morning?

Witness: No. In a few minutes I heard the street door open and close, and my mistress told me to run and see whether it was her husband going out. I went to the front room window, and saw him enter the carriage and drive away. I returned to my mistress, and informed her of it. She was in a furious state, and if she had had the strength, she would have dressed herself and followed him; but she was too weak, unassisted, to get out of bed.

The Attorney General: Upon that point you are also positive?

Witness: Quite positive.

The Attorney General: Did your mistress make you acquainted with the cause of the quarrel between her and the prisoner?

Witness: She told me a good deal. She said that when she married him it was the worst day's work she had ever done, and that he had deceived her from first to last. All he wanted was for her to die, but although he had treated her so vilely, she had him in her power.

The Attorney General: What did she mean by that? Did she explain?

Witness: Not clearly. She spoke vaguely about papers and acceptances for money which she had, and which he wanted to get hold of. "He

should have them, every one," she said, "and do whatever he liked, if he would be true to me. But he is false, he is false, and I will be revenged upon him!"

The Attorney General: Did you acquire this knowledge all at one time?

Witness: No. My mistress spoke at odd times during the day, when I went in and out her room.

The Attorney General: Nothing else said?

Witness: Nothing that I can remember.

The Attorney General: Did the prisoner return to the house during the day?

Witness: No.

The Attorney General: Did you leave the house during the day?

Witness: No.

The Attorney General: Or night?

Witness: No.

The Attorney General: You remained in attendance upon your mistress?

Witness: Yes.

The Attorney General: Did she make any inquiries about her husband?

Witness: Oh, yes. In the afternoon and evening she asked me a dozen times at least whether he had come home.

The Attorney General: At what time on the night of this day did you cease attendance upon your mistress?

Witness: At nine o'clock. She told me I need not come into the room again unless she rang.

The Attorney General: What then did you do?

Witness: I went to my own room to do some sewing.

The Attorney General: When you left your mistress's room, was there a table by her side?

Witness: Yes, it was always there.

The Attorney General: There were certain things upon it?

Witness: Yes.

The Attorney General: What things?

Witness: A decanter of water, a tumbler, and a bottle of lozenges.

The Attorney General: Was there a label on this bottle?

Witness: Yes; it was labelled "poison."

The Attorney General: Were those the sleeping lozenges your mistress was in the habit of taking?

Witness: Yes.

The Attorney General: What was their colour?

Witness: White.

The Attorney General: How many of the lozenges were in the bottle?

Witness: I am not sure. Ten or a dozen, I should say.

The Attorney General: Being labelled poison it could not be mistaken that they were dangerous to life?

Witness: There could be no mistake. My mistress had told me that if a person took three or four of them at once he would go to sleep and never wake again.

The Attorney General: Was it considered safe to leave such dangerous narcotics within her reach?

Witness: She was a very prudent woman. She was fond of life; she dreaded the idea of death.

The Attorney General: Were there any other articles on the table?

Witness: Pen, ink and paper, and a book.

The Attorney General: At what time did you go to bed?

Witness: I can't be quite exact as to the time, but it was about twelve o'clock.

The Attorney General: Where was your bedroom situated?

Witness: On the second floor.

The Attorney General: And your mistress's?

Witness: On the first floor.

The Attorney General: By going out of your bedroom door into the passage, and leaning over the balustrade, could you see down to the ground floor of the house?

Witness: Yes, pretty clearly. It was a straight view.

The Attorney General: You went to bed, you

say, at about twelve o'clock. Before you retired had your master returned home?

Witness: Yes. I was undressing when I heard the street door open and close. Then I heard a carriage drive away. I stepped out of my room, softly, and looked over the balustrade to make sure that it was my master. At the moment I looked down I saw him turning off the gas in the hall.

The Attorney General: And you saw nothing more?

Witness: No.

The Attorney General: And heard nothing more?

Witness: Yes, I heard something. I remained in the passage on the second floor, bending over the balustrade, and it seemed to me to be a very long time before my master made any movement. I should say five or six minutes passed before I heard him, very, very softly, ascend the stairs to the first floor. Perhaps I was fanciful through being alone so long in my own room, but the silence in the house, and then the sound of my master coming up the stairs much more quietly than was usual with him, made me nervous—I don't know why. I fancied all sorts of things.

The Attorney General: Never mind your fancies. Did you hear any other footsteps beside those of your master?

Witness: I am not sure. I can't say. It never entered my mind that anybody could be with him, and yet I could not help fancying things. To speak the truth, I was so upset that I went into my own room and locked the door. I listened with my ear at the bedroom door, and I heard the handle of my mistress's room being turned.

The Attorney General: And then?

Witness: I was already partially undressed, and I went to bed.

The Attorney General: Did you sleep soundly?

Witness: No. I woke up suddenly, with the idea that the street door had been opened and closed again. I lay in bed, frightened, but hearing nothing more presently fell asleep again.

The Attorney General: There were no cries, no voices loudly raised?

Witness: I heard none.

The Attorney General: Did you sleep soundly after that?

Witness: No. I was dozing off and waking up the whole of the night, a hundred times it seemed to me. How I have reproached myself since that, when I saw my master put out the gas in the hall, I did not have the courage to go down to him!

The Attorney General: At what time in the morning did you usually rise?

Witness: At half-past seven, unless my mistress required me earlier.

The Attorney General: Was that the hour at which you rose on the morning of the 26th of March?

Witness: No. I rose much earlier, at six or a quarter past six; I can't say exactly to a minute, because I did not look at my watch.

The Attorney General: Then, after dressing, did you go down stairs?

Witness: Yes, with a candle in my hand. It was dark.

The Attorney General: Any sound in the house?

Witness: None.

The Attorney General: Did you listen at your mistress's bedroom door?

Witness: I stood there for a moment, but I heard nothing.

The Attorney General: After that, what did you do?

Witness: I went down to the hall.

The Attorney General: To the street door?

Witness: Yes.

The Attorney General: On which side of the hall was the coat rack?

Witness: On the left from the house, on the right from the street.

The Attorney General: Did you look at it?

Witness: Yes.

The Attorney General: What did you observe?

Witness: That my master's ulster was hanging up in its usual place.

The Attorney General: You are positive that it was in its usual place?

Witness: Yes.

The Attorney General: Would you recognize the ulster again?

Witness: Most certainly; it is a coat of a very peculiar pattern.

The Attorney General: Is this it? (Ulster produced.)

Witness: Yes.

The Attorney General: Was the prisoner's hat hanging in its usual place?

Witness: No, it was not there.

The Attorney General: Did you look at the street door?

Witness: Yes.

The Attorney General: Did you observe anything?

Witness: Yes, something surprising.

The Attorney General: What?

Witness: That the chain was not up, and that it was not locked, as was always done by my master himself, when he returned home late. On other occasions it was done by a servant. Then, I thought, it could have been no fancy of mine that I heard the street door open and shut in the middle of the night.

The Attorney General: Proceed with an account of your movements after that discovery?

Witness: I was alarmed, and I considered for a little while what I ought to do. Then it suddenly occurred to me that the door of the bedroom my master occupied was not quite closed when I had passed it on my way downstairs. I went up quietly to convince myself, and I saw it was not shut. I touched it with my hand very gently and timidly, and it swung open. Thinking it my duty to acquaint my master with the circumstance of the street door chain not being up, I ventured to step into the bedroom and to call, "Sir!" I held the candle above my head, and to my astonishment saw that there was no one in the room, and that the bed had not been occupied during the night. I went boldly into the room and convinced myself. No one was there, no one had been there. The bed was just as it had been made on the previous day. Now, really alarmed, I hurried to my mistress's bedroom, and knocked at her door. There was no answer. I knocked again and again, and still there was no answer. I opened the door and entered. My mistress was lying quite still in bed. I stepped quietly to her side, and bent over. My heart almost stopped beating as I looked at her face, there was something so awful in it. "Madam! madam!" I cried, softly, and I ventured to push her by the shoulder.

She made no movement; she did not speak. I cried to her again, and pushed her again, and then a suspicion of the horrible truth flashed upon me I raised her in my arms, and she fell back upon the bed. I scarcely know what happened after that. I began to scream, and I think I became hysterical. The next thing I remembered was the servants rushing into the room, and me pointing to the dead body of my mistress.

The Attorney General: Do you remember saying anything to the effect that your master had murdered her?

Witness: I should not like to swear to it; but it may have been in my mind because of the cruel life they had led together, and because of what had passed between them on the previous morning.

The Attorney General: After a time you became calmer and more collected?

Witness: Yes.

The Attorney General: Had one of the servants gone for a policeman?

Witness: Yes.

The Attorney General: Shortly afterwards a detective officer, Lumley Rich, entered the room?

Witness: Yes.

The Attorney General: What was his first question when he had convinced himself that your mistress was dead?

Witness: He asked if anything in the room had been touched or disturbed, and I said, "No, nothing had been touched or disturbed."

The Attorney General: In consequence of the officer's question upon this point, was your attention directed to the table by the bedside?

Witness: Yes.

The Attorney General: Was everything upon the table as you had left it at nine o'clock on the night before, when you ceased attendance upon your mistress?

Witness: The pen, ink and paper were there. The decanter was there, with very little water in it, and I was horror-struck to see that the bottle of sleeping lozenges was quite empty. I made a remark to that effect to the detective. Turning to the mantelshelf I saw upon it the tumbler which, when I left my mistress's room the night before, had been on the table by her side.

The Attorney General: You say that during the day of the 25th of March your mistress spoke vaguely about papers and acceptances for money which she held, and of which the prisoner desired to obtain possession. Do you know anything further concerning those papers and acceptances?

Witness: Nothing.

The Attorney General: Do you know if any were found after your mistress's death?

Witness: I do not know.

The Attorney General: You saw your master when he entered the house at seven o'clock in the morning?

Witness: Yes.

The Attorney General: Was he wearing an overcoat on that occasion?

Witness: No.

The Attorney General: What was his appearance?

Witness: Very haggard; as though he had had no sleep, as though he had passed a dreadful night.

The Attorney General: That will do.

In accordance with the plan of defence which the prisoner seemed to have laid down for himself, his cross-examination of this witness was very brief.

Prisoner: You say that when you were in the room adjoining my wife's bedroom, during my interview with her on the morning of the 25th of March, you heard our voices raised to a high pitch, and that of the two voices mine made the stronger impression upon you?

Witness: Yes, I did say so.

Prisoner: You mean, of course, by that, that I was speaking loudly and violently?

Witness: Yes, I do mean it.

Prisoner: Do you adhere to that statement?

Witness: Yes, I adhere to it.

Prisoner: And to your conviction that I was threatening my wife?

Witness: Yes.

Prisoner: As I had threatened her many times before?

Witness: Yes.

Prisoner: You have heard me threaten her many times during the last few months?

Witness: Yes.

Prisoner: In as loud and violent a tone as you say I used on this occasion?

Witness: No; not so loudly and violently as on this occasion; but that did not make it less dreadful.

Mr. Justice Fenmore: We do not want your opinions. Confine yourself to the statement of facts.

Prisoner: Are you aware that my life is at stake?

Witness: Yes.

Prisoner: And that the evidence you have given is almost, if not quite, fatal against me?

Witness: I do not know anything about that. I have said only what is true.

Prisoner: Is it not possible that, having a prejudice against me, you may have allowed your imagination to warp your reason?

Witness: If by that you mean that I am inventing things against you, it is not true. I have only told what I heard.

Prisoner: And you heard my wife, when I left the room, call after me the words you have already given in evidence, to the effect that she believed I wished her dead, but that she would not die yet, unless I killed her?

Witness: I heard her say so.

Prisoner: And that she called after me that I was a villain?

Witness: I heard her say so.

Prisoner: In the description you have given of your movements on the night of this fatal day, you say that, upon hearing the street door open and close, you came out of your bedroom, and leaning over the balustrade, looked down into the hall?

Witness: Yes, that is true.

Prisoner: And that you saw me putting out the gas in the hall?

Witness: Yes.

Prisoner: You are certain it was I?

Witness: Yes. You had your ulster on, and as you had to stand on tip-toe to put out the gas, your face was raised to the light, and I saw it plainly.

Prisoner: You saw my face plainly?

Witness: As plainly as I see it now.

Prisoner (with a movement of impatience): I have no further questions to ask you.

The Court then adjourned.

VI.

DESCRIPTION OF THE LAST DAY'S PROCEEDINGS —EXTRACTED FROM A DAILY PAPER.

The trial of Edward Layton for the murder of his wife came to a singular and unsatisfactory termination late last night. That the public interest in the case had reached an almost unprecedented height was proved by the large number of persons who were unable to obtain admission to the court.

On the previous evening the evidence for the prosecution had closed, and there was a painful and eager expectancy in the minds of all present as to the line of defence which the prisoner intended to adopt. This line of defence—if, indeed, it can be called a defence—was as surprising as it was brief.

The prisoner, addressing the judge and the jury, intimated that it was not his intention to call witnesses on his behalf. Most of the witnesses for the prosecution, he said, had given their evidence fairly, and if they had committed themselves to mis-statements and discrepancies, it was more because they were either misled or mistaken—in the case of one witness, Ida White, because she was strangely prejudiced against him—than that they had a desire to make the case against him even blacker than it was. It had happened before, and would doubtless happen again, that a man found himself thrust into such an unhappy position as he himself stood, through no fault of his own,

and that he was unable to say or do anything to prove his innocence. Sometimes it was with such a man a matter of honour, sometimes a matter of conscience. In his own case it sprang from both his honour and his conscience that his lips were sealed, and the utmost he could say for himself was that he was an innocent man, with so dark an array of evidence against him as to almost incontestibly prove him to be guilty. All that he could do was to declare, most solemnly, that the accusation upon which he was being tried was false, and that he stood before them as unstained by crime as they were themselves. What could be said truly in his favour was that his character, and to some extent his blameless life, were a refutation of the charge. Evidence of character was generally called in mitigation of impending punishment. He did not intend to call such evidence, because, by so doing, it would be a half admission that he stood there a guilty instead of an innocent man. He knew perfectly well how lame and impotent these weak words must sound in the ears of those who were sitting in judgment upon him ; but this he could not help. It was but part of the fatal web in which he was entangled. That he and his wife had lived unhappily together was not to be disputed ; but even in this most serious crisis of his life he denied the right arrogated by the legal profession to rip open a man's private affairs, and

expose to the vulgar gaze what he desired should be hidden from it. The last thing he would do, even if he were in ten times the peril in which he then stood, was to drag other persons into the case, and to allow them to be blackened and vilified as he had been. "I can scarcely doubt," said the prisoner, "what your verdict will be. Were I in your place, I should most likely decide as you will decide; but none the less will it be a solemn fact that though you are legally right, you are morally wrong. I must be content to let the case rest as it has been presented to you, and to abide the issue, though it may cost me my life."

Never in a criminal court, in the case of a man arraigned upon so grave a charge, has there been heard a defence so weak and strange; but it is nevertheless a fact that the prisoner's earnest, and to all appearance, ingenuous manner, produced a deep impression upon all who heard him; and when he ceased speaking there was, in the murmurs of astonishment that followed, an unmistakable note of sympathy.

After a slight pause, the Attorney General rose to sum up the case against the prisoner, and his incisive, judicial utterances soon dispelled the impression which the prisoner's earnestness had produced. He said that in the circumstances of the case his speech would be briefer than it otherwise would have been. He had a duty to perform, and

ne would perform it, without, he hoped, any undue severity or harshness. Unhappily the evidence was only too clear against the prisoner, and unhappily the prisoner had strengthened the case against himself. This was not a matter of sentiment; it was a matter of justice, and justice must be done. With slight limitations, around which the prisoner threw a veil of silence, contenting himself to cast suspicion upon them by some kind of mysterious implication which no person could understand, and not venturing to give them a distinct and indignant denial—with slight limitations, then, the prisoner had admitted the truthfulness of the evidence brought against him. As the prisoner had not directly referred to these doubtful points in the evidence, he would himself do so, and endeavour to clear away any latent doubt —if such existed—in the minds of the jury. First, with respect to the ulster. The prisoner did not deny that he wore this ulster on the whole of the day his coachman, James Moorhouse, was driving him to various places, and it was only upon his arrival home at midnight that he endeavoured to shake the coachman's evidence as to whether, when he entered the carriage upon leaving Prevost's Restaurant, and upon his issuing from the carriage when the coachman drew up at his house, he still had this ulster on. What his motive was in endeavouring to shake the coach-

man's testimony upon this point it was impossible to say. He (the learned counsel) had most carefully considered the matter, and the only conclusion he could arrive at was that the prisoner was anxious to instil a doubt into the minds of the jury, that it was not he who left the restaurant at ten minutes to twelve, and entered his carriage; and that it was not he who alighted from the carriage, and opened his street door. But, supposing for instance that this argument had a foundation in fact, was it not easy for the prisoner to prove what he had done with himself between ten minutes to twelve on the night of the 25th of March and seven o'clock on the morning of the 26th? Surely some person or persons must have seen him, and had he produced those persons there would have been a reasonable *alibi* set up, which it would be the duty of every one engaged in this case seriously to consider. Indeed, he would go so far as to say that, admitting such evidence to be brought forward and established, there could not be found a jury who would convict the prisoner of the charge brought against him. It would then have been proved that the prisoner had not seen his wife since eleven o'clock on the morning of the 25th of March, until seven o'clock on the morning of the 26th; and as it was during the night of those days that the unhappy lady met her death, it would have been impossible to bring the prisoner

in guilty. But, easy as this evidence must have been to produce, there is not only no attempt to produce it, but in his lamentably impotent speech, the prisoner does not even refer to it. In his mind, then, and in the minds of all reasonable men, there could not be a doubt that this was the case of one who, in despair, was catching at a straw to save himself. The learned counsel touched briefly but incisively upon every point in the evidence concerning which the prisoner had maintained silence, and had made no endeavour to confute. For instance, there was the lady whom he had met in Bloomsbury Square, whom he took to Prevost's Restaurant, whom he regaled with a supper which neither he nor she touched—a distinct proof that they were otherwise momentously occupied. The evidence with respect to this lady is irrefragable. She was no shadow, no myth, no creation of the imagination; she was a veritable being of flesh and blood. All the efforts of the prosecution had failed to trace her, and the just deduction was that she was somewhere in hiding, afraid to come forward lest she should be incriminated and placed side by side with the prisoner in the dock. The prisoner did not deny her existence, nor that she and he were for several hours in company with each other. Were he innocent, what possible doubt could exist that he would bring her forward to establish his innocence?

Were both innocent, would not she of her own accord step forward to prove it? The prisoner, in his address, made certain allusions to honour and conscience, by which he would make it appear that he was guided by his honour and his conscience in the singular method of his defence; and it may be that there existed in him some mistaken sense of chivalry which induced him to do all in his power to screen the partner in his crime. It would have been better for him had he brought his honour and his conscience to bear in the unhappy engagement into which he entered with the unfortunate lady who afterwards became his wife; but it had been amply proved that the marriage was not, on his side at least, a marriage of affection. Distinctly he married her for her money, and distinctly he would be a great gainer by her death. Thus, then, there existed a motive, and not a novel one—for the tragedy has been played many times in the history of crime—for his getting rid of her. He (the counsel for the prosecution) did not wish to press hardly upon the prisoner, who was a man of culture and education, and must feel keenly the position in which he stood, whatever might be his outward demeanour. But it devolved upon him to impress upon the jury not to allow any false sentiment to cause them to swerve from the straight path of duty. They must decide by the evidence which had been presented to them, and it was with a feeling the

reverse of satisfactory that he pointed out to them that this evidence could lead to but one result.

The summing up of the learned Judge (which, with the Attorney General's speech, will be found fully reported in other columns) was a masterly analysis of the evidence which had been adduced. He impressed upon the jury the necessity of calm deliberation, and of absolute conviction before they pronounced their verdict. Circumstantial evidence was, of all evidence, the most perplexing and dangerous. It had, in some rare instances, erred; but these exceptions were, happily, few and far between. It had, on the other hand, led to the detection of great criminals, and without its aid many heinous aggressors against the law would slip through the hands of justice. He dismissed the jury to their duty, and he prayed that wisdom might attend their deliberations.

At half-past three o'clock the jury retired, and it was the general impression that the case would be ended within the hour. The prisoner sat in the dock, shading his eyes with his hand. Not once did he look up to the court. He seemed to be preparing himself for his impending fate. But four o'clock, five o'clock, six o'clock passed, and the suspense grew painful. It was clear that there was not that agreement between the jury which all in court, including even the prisoner, had expected. At twenty minutes past six the foreman of the jury

entered the court, and informed the Judge that there was no chance of the jury agreeing upon a verdict.

The Judge: Is there any point of law upon which you desire information?

The Foreman of the Jury: None, my lord.

The Judge: Is there any discrepancy in the evidence which the jury wish cleared?

The Foreman of the Jury: No, my lord. It is simply that we cannot agree.

The learned Judge then intimated that after so long and patient a trial, he could not lightly dismiss the jury from their duties, and he bade the foreman again retire to a further consideration of the case. The court, he said, would sit late to receive the verdict.

Seven o'clock, eight o'clock, nine o'clock passed, and then the learned Judge sent for the foreman of the jury, and inquired whether any progress had been made towards an agreement.

The Foreman of the Jury: None, my lord. There is no possible chance of the jury agreeing upon a verdict.

It was remarked that no person in court appeared to be more surprised than the prisoner, and when the jury were called in and dismissed by the Judge from their duties, Edward Layton, before he was removed from the dock by the gaolers, leant eagerly forward to scan their countenances.

Nothing further transpired, and this unexpected chapter in the Layton mystery was closed.

PART THE SECOND.

THE CABLE MESSAGE FROM AMERICA.

AT ten o'clock on the night following this exciting day Mr. Bainbridge, Q.C., and his friend, Dr. Daincourt, were chatting together in the dining-room of the lawyer's house. They had met by appointment, and were now conversing over the strange incidents of the Layton trial.

"Its termination," said Dr. Daincourt, "is in harmony with the whole of the proceedings. I am afraid, when Layton is put again upon his trial, that there will be no further disagreement on the part of the jury, and that his conviction is certain."

"With the evidence as it stands at present," said Mr. Bainbridge, thoughtfully, "you are right in your conclusion. But there is here a mystery to be brought to light which, discovered, may lead to a different result. Almost unfathomable as this mystery now appears to be, its unravelment may, after all, depend upon a very slender thread. Fortunately, Layton's second trial cannot take place for a month. Before that month expires I hope to be able to lay my hand upon evidence which will prove him innocent of the charge."

"To judge from his attitude," said Dr. Daincourt, "he is indifferent as to the result."

"You are mistaken," said the lawyer; "it is only that he will not owe his release to certain means which I believe it to be in his power to disclose. Has it not occurred to you that he has been anxious, all through, to keep something in the background?"

"Yes," replied Dr. Daincourt, "that has been my impression—but it might be something which would more firmly fix his guilt. Is it your intention to follow up the case?"

"To the last link in the chain."

"The chain, if there be one, is safely hidden, and I cannot for the life of me see a single link."

Mr. Bainbridge, leaning back in his chair, did not reply for a few moments, and then he said:

"I have two links to commence with. One of these is shadowy; the other is certain and tangible." And then, with the air of a man whose thoughts were engaged upon an important subject, he exclaimed, "If I could only discover its meaning!"

"The meaning of what?"

The lawyer took a pack of cards from a drawer, and selected a card, which he handed to Dr. Daincourt.

"The Nine of Hearts," said the doctor.

"The card," said the lawyer, "that was found in the pocket of Layton's ulster."

"Is this your tangible link?" asked Dr. Daincourt, turning the card over in his hand.

"It is my tangible link," replied the lawyer.

Dr. Daincourt shrugged his shoulders. "You are adding mystery to mystery."

"I think not," said the lawyer. "You were not in the court when the Nine of Hearts was produced."

"No."

"That, and the latch-key of Layton's street door, were the only articles found in the pockets of the ulster. When the evidence relating to these articles was being given, I closely observed Layton's face. I knew, but he did not, that these two articles were all that were discovered in the pockets of the incriminating coat. When the latch-key was held up he smiled faintly; he was not surprised. But when the Nine of Hearts was produced, there flashed into his eyes a startled look—a look of bewilderment and astonishment; indeed, there was something of horror in his face. I needed no further sign to make me positive that he had no previous knowledge of the card, and that it was the first time he had seen it."

"Something of horror, you say."

"It was my impression, and I cannot account

for it. Not so with his bewilderment and astonishment. To my mind, they are easily explained."

"He asked no questions concerning the card," remarked Dr. Daincourt.

"He asked no questions," said the lawyer, somewhat irritably, "concerning a hundred matters upon which the witnesses should have been hardly pressed. Can you not see that this accentuates my conviction that the Nine of Hearts is a link in the chain?"

"Yes, supposing you had not already arrived at a false conclusion with respect to poor Layton's knowledge of the possession of the card."

"I will stake my life and reputation," said the lawyer, earnestly, "upon the correctness of my conclusion. I will stake my life and reputation that, until that moment, Edward Layton did not know that the card was in his pocket."

"Then somebody must have placed it there."

"As you say, somebody must have placed it there."

"But in the name of all that is reasonable," exclaimed Dr. Daincourt, "what possible connection can you trace between a playing card, whether it be the ace of clubs, or the king of spades, or the nine of hearts—it matters not which—what possible connection can you find between *any* playing card and the awful charge brought against Layton?"

"That," said the lawyer, drumming upon the table with his fingers, "is what I have to discover. You do not know, doctor, upon what slight threads the most important issues hang."

"I think I do," said Dr. Daincourt, with a smile.

"I do not refer to the general issues of human life," said the lawyer, in explanation; "I refer to legal matters, especially to criminal cases, the solution of which rests upon circumstantial evidence. Circumstances the most remote, and apparently absolutely worthless and trivial, have been woven by a legal mind into a strand strong and firm enough to drag a prisoner out of the very jaws of death."

"And this Nine of Hearts is one of those slender threads?" said Dr. Daincourt, in a tone of incredulous inquiry.

"Very likely. You may depend I shall not lose sight of it."

"You spoke of two links," said Dr. Daincourt, "and you have shown me that which you believe to be a tangible one. What is the link which you say is shadowy and less dependable?"

"I will explain. The jury were discharged, being unable to agree upon their verdict. It may leak out through the press, by and by—pretty well everything *does* leak out through the press now-a-days—but it is not known at present to the public

how many of the jury were for pronouncing the prisoner guilty, and how many for pronouncing him innocent."

"I have heard rumours," said Dr. Daincourt.

"I," said the lawyer, "have positive information. Eleven of them declared him guilty, one only held out that he was innocent. Arguments persuasions, logical inferences and deductions, the recapitulation of the evidence against him—all were of no avail in this one juryman's eyes. He would *not* be convinced ; he would *not* yield. He had made up his mind that the prisoner was innocent, and that he, at least, would not be instrumental in sending him from the dock a felon."

"I can see nothing in that," said Dr. Daincourt.

"There are," continued the lawyer, "in civil and criminal records, instances of a like nature, some of which have been privately sifted, with strange results, after the cases have been finally settled. I recollect one case which may bear upon this of Layton's. I do not say it does, but it may. It occurred many years ago, and the jury were locked up a barbarous length of time without being able to come to an agreement. There was no possible doubt, circumstantially, of the prisoner's guilt; the evidence was conclusive enough to convict twenty men. One person, however, would not give in, and that person was on the

jury. The prisoner was tried again, and unhesitatingly acquitted. During the time that had elapsed between the first and second trials, additional evidence was found which proved the prisoner to be innocent. The juryman who held out on the first trial happened to have been some years before a friend of the prisoner, a fact of course which was not known when the jury were empanelled. After the result of the second trial he publicly declared that he had been guided by his feelings and not by the evidence."

"And you think that something of the sort may have happened in this case?"

"Had you been on the jury, what would have been your verdict?"

"Guilty."

"Had *I* been on the jury, what would have been *my* verdict? Despite my firm conviction that Layton is an innocent man, I should have brought him in guilty. It was not my opinion I had to be guided by, it was the evidence; and the evidence in Layton's case, as it was presented to the court, and appears in the papers, indisputably proclaims him to be a guilty man. Again, when the verdict was pronounced I watched his face; again I saw there a startled look of wonder and astonishment; to his own mind the evidence against him was conclusive. Then it was that I observed him for the first time gaze upon the jury

with some kind of interest and attention. Not once during the trial had he looked at them in any but a casual way, and I should not be surprised to learn that he was ignorant of their names. This is most unusual. Ordinarily a prisoner pays great attention to the jury upon whose verdict his fate hangs. He gazes upon them with deepest anxiety, he notes every change in their countenances, is despondent when he believes it to be against him, is hopeful when he believes it to be in his favour. Not so with Layton. When the jury were empanelled, and their names called over, he paid not the slightest attention to them; he did not turn his eyes towards them; he might have been both deaf and blind for all the interest he evinced."

"Perhaps you are not aware," said the doctor, "that he is very short-sighted, and that without his glasses it would have been impossible for him to distinguish their features."

"I am quite aware of it," said the lawyer; "but he had his glasses hanging round his neck, and it is remarkable that not once during the trial did he put them to his eyes. I have here," and the lawyer tapped his pocket-book, "a list of the names, social standing, and businesses or professions of the jurymen engaged on this Layton mystery. As regards only one of them is my information incomplete. I know their ages,

whether they are married or single, whether they have families, etc., etc. I know something more—I know the name of the one man who would not subscribe to the verdict of guilty which the other eleven, almost without leaving the box, were ready to pronounce. Curiously enough, this dissentient is the person respecting whom I have not yet complete particulars. I am acquainted with his name, but have not been supplied with his address. I shall, however, obtain it easily, if I require it."

"What is his name?" asked Dr. Daincourt.

"James Rutland," replied the lawyer.

At this moment there was a knock at the door, and a man-servant made his appearance.

"A telegraph lad, sir," said the servant, "has brought this message, and is waiting to know whether it is correct, and whether there is any answer. He says he has been to your rooms in the Temple, and was directed on here to your private address, the instructions being that the message was to be delivered immediately, either at your professional or private residence."

Mr. Bainbridge opened the telegram, and read it. It was unusually lengthy, and from the expression of his face appeared to cause him great surprise.

"Let the lad wait in the hall," he said to his servant, "and you come up the moment I ring."

"Very well, sir," said the servant, and he left the room, closing the door softly behind him.

"I have been taking a leaf out of your book," said Dr. Daincourt. "You seem to learn so much from observing the faces of people, that I have been rude enough to watch your face while you were perusing the telegram."

"What have you learned?" asked the lawyer.

"Nothing," replied Dr. Daincourt, smiling, "except that it appears almost as long as a letter, and that it has caused you surprise."

"It has caused me something more than that; it has absolutely startled me."

"You must forgive my rudeness. I spoke lightly, not seriously. If you have anything particular to attend to, don't mind me; I will go."

"No," said the lawyer, "I want you, and I think you will be as startled as I am myself. This is a cable message from Pittsburg, America, and, as you judged, it is more like a letter than a telegram. See, it covers three sides of paper; I will read it to you:

"'*From Archibald Laing, Box* 1,236, *P.O., Pittsburg, U.S., to Mr. Bainbridge, Q.C., London.*

"'Reports of the result of Edward Layton's trial for the murder of his wife have been cabled here, and published in the papers. There will, of course, be a new trial. If at or before that new trial you establish Layton's innocence, I hold

myself accountable to you for a fee of twenty-five thousand dollars. If you will employ yourself to that end, I have cabled to Messrs. Morgan and Co., bankers, Threadneedle Street, to pay upon your demand the sum of ten thousand dollars, five thousand dollars of which are your retaining fee, the other five thousand being an instalment towards any preliminary expenses you may incur. This sum of ten thousand dollars is independent of the twenty-five thousand mentioned above, and of course your own professional bill of costs will be paid in addition. Messrs. Morgan and Co. are empowered to advance you any further sums that may be necessary for your investigations. Set every engine afoot to obtain the acquittal of Edward Layton; spare no expense. If a million dollars are necessary, they are at your command. Send to me by every mail full and detailed accounts of your movements and proceedings; omit nothing, and make your own charge for this and for everything else you perform in the task I ask you as a favour to undertake. Your reply immediately by cable will oblige, and, up to one hundred words, is prepaid. I do not wish Edward Layton to know that I have requested your mediation on his behalf. It is a matter entirely and confidentially between you and me. I write to you by the outgoing mail. Perhaps you may obtain some useful information from a Mr. James Rut-

land; I cannot furnish you with the gentleman's address, but Edward Layton and he were once friends.'"

Dr. Daincourt drew a deep breath.

"Startling, indeed," he said. "This Archibald Laing must be the man of whom we have heard as making an immense fortune by speculating at the right moment in the silver mines. If so, he is good for millions. Do you know anything of him?"

"Not personally," replied the lawyer, "only from report and hearsay. He is an Englishman, and must be an amazingly shrewd fellow; and that he is in earnest is partly proved by this cable, in which no words are spared to make his meaning clear."

While he was speaking to his friend, the lawyer was busily engaged writing upon a blank telegraph form, which was enclosed in the envelope delivered by the messenger.

"What will you do in the matter?" asked Dr. Daincourt.

"Here is my reply," said the lawyer, and he read it aloud:

"'*From Mr. Bainbridge, Q.C., Harley Street, London, to Archibald Laing, Box* 1,236, *P.O., Pittsburg, U.S.*

"'Your cable received. I undertake the commission, and will use every effort to establish Layton's innocence, in which I firmly believe.

There is a mystery in the matter, and I will do my best to get at the heart of it. I will write to you as you desire.'"

He touched the bell, and the servant appeared.

"Give this to the telegraph boy," he said, "and pay his cab fare to the telegraph office, in order that there shall be no delay."

When the servant had departed, the lawyer rose from his chair, and paced the room slowly in deep thought, and it was during the intervals in his reflections that the conversation between him and Dr. Daincourt was carried on.

"Is it not very strange," said the lawyer, "that I am advised in this cable message to seek information from the one juryman who pronounced Layton innocent, and whose address I have not obtained?"

"It is, indeed," replied Dr. Daincourt, "very strange."

"Of course I shall find him; there will not be the least difficulty in that respect. Tell me, doctor. It was proved at the trial that Mrs. Layton's death was caused by an overdose of morphia, taken in the form of effervescing lozenges. It was established that she was occasionally in the habit of taking one of these lozenges at night to produce sleep, and her maid swore that her mistress never took more than one, being aware of the danger of an overdose. The usual mode of administering

these noxious opiates is by placing one in the mouth, and allowing it to dissolve; but they will dissolve in water, and the medical evidence proved that at least eight or ten of the poisonous lozenges must have been administered in this way, in one dose, to the unfortunate lady. The glass from which the liquid was drank was found, not by her bedside, but on the mantelshelf, which is at some distance from the bed. It is a natural inference, if the unfortunate woman had administered the dose to herself, that the glass would have been found on the table by her bedside. It was not so found, and the maid declares that her mistress was too weak to get out of bed and return to it unaided. These facts, if they be facts, circumstantially prove that the cause of death lay outside the actions of the invalid herself. The maid states that, when she left her mistress, the bottle containing about a dozen lozenges was on the table by her mistress's bedside, and also a glass, and a decanter of water; and that when she visited her mistress at between six and seven o'clock in the morning, there were no lozenges left in the bottle, and the glass from which they were supposed to be taken, dissolved in water, was on the mantelshelf. Now, in my view, this circumstance is in favour of the prisoner."

"I cannot see that," observed Dr. Daincourt.

"Yet it is very simple," said the lawyer.

"Let us suppose, in illustration, that I am this lady's husband. For reasons into which it is not necessary here to enter, I resolve to make away with my wife by administering to her an overdose of these poisonous narcotics, and naturally I resolve that her death shall be accomplished in such a manner as to avert, to some reasonable extent, suspicion from myself. I go into her bedroom at midnight. Our relations, as has been proved, are not of the most amiable kind. We are not in love with each other—quite the reverse—and have been living, from the first day of our marriage, an unhappy life. Indeed, my unhappy life, in relation to the lady, commenced when I was engaged to her. Well, I go into her room at midnight, resolved to bring about her death. She complains that she cannot sleep, and she asks me to give her a morphia lozenge from the bottle. I suggest that it may more readily produce sleep if, instead of allowing it to dissolve slowly in her mouth, she will drink it off at once, dissolved in water. She consents. I take from the table the bottle, the decanter of water, and the glass; I empty secretly into the glass the eight, or ten, or dozen lozenges which the bottle contains; I pour the water from the decanter into the glass, and I tell my wife to drink it off immediately. She does so, and sinks into slumber, overpowered by a sleep from which she will never awake. Perhaps she

struggles against the effects of the terrible dose I have administered to her, but her struggles are vain. She lies before me in sure approaching death, and both she and I have escaped from the life which has been a continual source of misery to us. The deed being accomplished what do I, the murderer, do? There are no evidences of a struggle; there have been no cries to alarm the house; what has been accomplished has been well and skilfully accomplished, and I am the only actual living witness against myself. What then, I repeat, is my course of action? Before I killed her I removed the bottle, the glass, and the decanter from the table by the bedside. I wish it to be understood that she herself, in a fit of delirium, caused her own death. This theory would be utterly destroyed if I allowed the glass from which the poison was taken to be found at some distance from the unfortunate lady's bedside. Very carefully, therefore, I place, not only that, but the decanter which contained the water, and the bottle which contained the lozenges, within reach of her living hand. To omit that precaution would be suicidal, and, to my mind absolutely untenable in rational action under such circumstances. Do you see, now, why the circumstance of the glass being found on the mantelshelf is a proof of my innocence?"

"Yes," said Dr. Daincourt, "I recognize the

strength of your theory—unless, indeed, you had in your mind the idea that it would be better to throw suspicion upon a third person ; say, for the sake of argument, upon the maid."

"That view," said the lawyer, "demolishes itself, for what *I* would naturally do to divert suspicion from myself, a third person would naturally do to avert suspicion from him or herself."

"True," said Dr. Daincourt; "you seize vital points more readily than I. Have you any theory about the strange lady who accompanied Layton home from Prevost's Restaurant?"

"I have a theory upon the point," replied the lawyer, "which, however, at present is so vague and unsatisfactory that it would be folly to disclose it."

"And the Nine of Hearts," said Dr. Daincourt, "you have not mentioned that lately—have you forgotten it?"

"No," said the lawyer, "it is my firm opinion that round that Nine of Hearts the whole of the mystery revolves."

PART THE THIRD.

THE MYSTERY OF THE NINE OF HEARTS.

"From Mr. Bainbridge, Q.C., to Archibald Laing, Esq.

"DEAR SIR,—Last night I received your cable from Pittsburg, and sent you a message in reply, accepting the commission with which you have been pleased to entrust me. This morning I called upon Messrs. Morgan and Co., Bankers, Threadneedle Street, and learned from them that they were prepared to advance me the ten thousand dollars of which you advised me. I drew upon them for that amount, and received from them a notification that they would honour my further drafts upon them the moment they were drawn. I asked them whether, in the event of my desiring to draw, say five thousand pounds, I was at liberty to do so. They said, yes, for even a larger amount if I required it. I did not explain to them the reason of my asking the question, but I will do so to you. It has happened, in difficult cases, that information has had to be purchased, and that a bribe, more or less tempting, has had to be held

out to some person or persons to unlock their tongues. I have no reason to suppose that anything of the sort will be necessary in this case, but I wish to feel myself perfectly free in the matter. I am satisfied with your bankers' replies, and I shall spare neither money nor exertion in the endeavour to unravel the mystery which surrounds the death of Mrs. Edward Layton.

"It is scarcely possible you can be aware of it, but it is nevertheless a fact, that, apart from my professional position in this matter, I take in it an interest which is purely personal, and that my sympathies are in unison with your own. Were it not that I have had some knowledge of Mr. Layton, and that I esteem him, and were it not that I firmly believe in his innocence, I should, perhaps, have hesitated to engage myself in his case, and you will excuse my saying that your liberal views upon the subject of funds might have failed to impress me. It is, therefore, a matter of congratulation that I enlist myself on Mr. Layton's side as much upon personal as upon professional grounds. The time has been too short for anything yet to be done, but it will be a satisfaction to you to learn that I have a slight clue to work upon. It is very slight, very frail, but it may lead to something important. Your desire for a full and complete recital of my movements shall be complied with and I propose, to this end, and for the purpose of

coherence and explicitness, to forward the particulars to you from time to time, not in the form of letters, but in narrative shape. This mode of giving you information will keep me more strictly to the subject-matter, and will be the means of avoiding digression. After the receipt, therefore, of this letter, what I have to say will go forth under numbered headings, not in my own writing, but in that of a shorthand reporter, whom I shall specially employ. I could not myself undertake such a detailed and circumstantial account as I understand it is your desire to obtain. Besides, it will save time, which may be of great value in the elucidation of this mystery.

"I am, dear sir, faithfully yours,

"HORACE BAINBRIDGE."

I.

What struck me particularly in your cable message was that portion of it in which you made reference to a Mr. James Rutland. It happens, singularly enough, that this Mr. James Rutland was on the jury, and that he was the one juryman who held out in Mr. Layton's favour, and through whose unconquerable determination not to bring him in guilty has arisen the necessity for a new trial. Eleven of the jury were for a conviction, one only for an acquittal—this one, Mr. Rutland.

The first thing to ascertain was his address,

which you could not give me. However, we have engines at our hand whereby such small matters are easily arrived at, and on the evening of the day after the arrival of your cable message I was put in possession of the fact that Mr. Rutland lives in Wimpole Street. I drove there immediately, and sent up my card.

"I have called upon you, Mr. Rutland," I said, "with respect to Mr. Edward Layton's case, in the hope that you may be able to give me some information by which he may be benefited."

Mr. Rutland is a gentleman of about sixty years of age. He has a benevolent face, and I judged him, and I think judged him correctly, to be a man of a kindly nature. Looking upon him, there was no indication in his appearance of a dogged disposition, and I lost sight for a moment of the invincible tenacity with which he had adhered to his opinion when he was engaged upon the trial with his fellow-jurymem. However, his conduct during this interview brought it to my mind.

"It is a thousand pities," he said, in response to my opening words, "that Mr. Layton refused to accept professional assistance and advice. I was not the only one upon the jury who failed to understand his reason for so doing."

"It is, indeed," I observed, "inexplicable, and I am in hopes that you may be able to throw some light upon it. I have come to you for assistance."

"I can give you no information," was his reply; "I cannot assist you."

"May I speak to you in confidence?" I asked.

"Yes," he said, "although I have nothing to tell. To any but a gentleman of position I should refuse to enter into conversation upon this lamentable affair; and, indeed, it will be useless for us to converse upon it. As I have already said, I have nothing to tell you."

This iteration of having nothing to say and nothing to tell was to me suspicious, not so much from the words in which the determination was conveyed as from the tone in which they were spoken. It was flurried, anxious, uneasy, a plain indication that Mr. James Rutland could say something if he chose.

"Speaking in confidence," I said, taking no outward notice of his evident reluctance to assist me, "I think I am right in my conjecture that you believe in Mr. Layton's innocence."

"I decline to say anything upon the matter," was his rejoinder to this remark.

"We live in an age of publicity," I observed, without irritation; "it is difficult to keep even one's private affairs to one's self. What used to be hidden from public gaze and knowledge is now exposed and freely discussed by strangers. You are doubtless aware that it is known that there were eleven of the jury who pronounced Mr.

Layton guilty, and only one who pronounced him innocent."

"I was not," he said, "and am not aware that it is known."

"It is nevertheless a fact," I said, "and it is also known that you, Mr. Rutland, are the juryman who held out in Mr. Layton's favour."

"These matters should not be revealed," he muttered.

"Perhaps not," I said, "but we must go with the age in which we live. Mr. Layton's case has excited the greatest interest. The singular methods he adopted during so momentous a crisis in his life, and the unusual termination of the judicial inquiry, have intensified that interest, and I have not the slightest doubt that there will be a great deal said and written upon the subject."

"Which should not be said and written," muttered Mr. Rutland.

"Neither have I the slightest doubt," I continued, "that your name will be freely used, and your motives for not waiving your opinion when eleven men were against you freely discussed. We are speaking here, if you will allow me to say so, as friends of the unfortunate man, and I have no hesitation in declaring to you that I myself believe in his innocence."

He interrupted me.

"Then if you had been on the jury you would

not have yielded to the opinions of eleven, or of eleven hundred men!"

He spoke eagerly, and I saw that it would be a satisfaction to him to obtain support in his view of the case.

"I am not so sure," I said; "our private opinion of a man when he is placed before his country, charged with a crime, has nothing whatever to do with the evidence brought against him. Let us suppose, for instance, that you have been, at some time or other, under more fortunate circumstances, acquainted with Mr. Layton."

"Who asserts that?" he cried, much disturbed.

"No person that I am aware of," I replied. "I am merely putting a case, and I will prove to you presently that I have a reason for doing so. Say, I repeat, that, under more fortunate circumstances, you were acquainted with Mr. Layton, and that you had grown to esteem him. What has that purely personal view to do with your functions as a juryman?"

"Mr. Bainbridge," he said, "I do not wish to be discourteous, but I cannot continue this conversation."

"Nay," I urged, "a gentleman's life and honour are at stake, and I am endeavouring to befriend him. I am not the only one who is interested in him. There are others, thousands of miles away

across the seas, who are desirous and anxious to make a sacrifice, if by that sacrifice they can clear the honour of a friend. See, Mr Rutland, I will place implicit confidence in you. Last night I received a cable from America, from Mr. Archibald Laing."

"Mr. Archibald Laing!" he cried, taken by surprise. "Why, he and Mr. Layton were——"

But he suddenly stopped, as though fearful of committing himself.

"Were once friends," I said, finishing the sentence for him, and I was certain finishing it aright. "Yes, I should certainly say so. Read the cable I received." And I handed it to him.

At first he seemed as if he were disinclined, but he could not master his curiosity, and after a slight hesitation he read the message; but he handed it back to me without remark.

"Mr. Archibald Laing," I said, "as I dare say you have heard or read, is one of fortune's favourites. He left this country three or four years ago, and settled in America—where I believe he has taken out letters of naturalization—and plunged into speculation which has made him a millionaire. No further evidence than his cable message is needed to prove that he is a man of vast means. Why does he ask me to apply to you for information concerning Mr. Layton which I may probably turn to that unhappy gentleman's advantage?"

"I was but slightly acquainted with Mr. Laing," said Mr. Rutland. "He and I were never friends. I repeat once more that I have nothing to tell you."

I recognized then that I was in the presence of a man who, whether rightly or wrongly, was not to be moved from any decision at which he had arrived, and I understood thoroughly the impossible task set before eleven jurymen to win him over to their convictions.

"Can I urge nothing," I said, "to induce you to speak freely to me?"

"Nothing," he replied.

I spent quite another quarter of an hour endeavouring to prevail upon him, but in the result I left his house no wiser than I had entered it—except that I was convinced he knew something which he was doggedly concealing from me. I did not think it was anything of very great importance, but it might, at least, be a clue that I could work upon, and I was both discouraged and annoyed by his determined attitude.

On the following morning, having paved the way to further access to Mr. Edward Layton, I visited the unhappy man in his prison. He was unaffectedly glad to see me, and he took the opportunity of expressing his cordial thanks for the friendliness I had evinced towards him. I felt it necessary to be on my guard with him, and I did not, thus early, make any endeavour to pre-

vail upon him to accept me as his counsel in the new trial which awaited him. There were one or two points upon which I wished to assure myself and I approached them gradually and cautiously.

"Are you aware," I said, "of the extent of the disagreement among the jury?"

"Well," he replied, "we hear something even within these stone walls. I am told that eleven were against me, and one for me."

"Yes," I said, "that is so."

"A bad look out for me when I am tried again, Mr. Bainbridge," he said, "it is very kind of you to visit me here, and I think you do so with friendly intent."

"Indeed," I said, "it *is* with friendly intent."

"Is it of any use," he then said, "for me to declare to you that I am innocent of the horrible charge brought against me?"

"I don't know," I said, "whether it is of any use or not, because of the stand you have taken, and seem determined to take."

"Yes," he said, "upon my next trial I shall defend myself, as I did on my last. I will accept no legal assistance whatever. Still, as a matter of interest and curiosity—looking upon myself as if I were somebody else—tell me frankly your own opinion."

"Frankly and honestly," I replied, "I believe you to be an innocent man."

"Thank you," he said, and I saw the tears rising in his eyes.

"Do you happen," I said, presently, "to know the name of the juryman who was in your favour?"

"No," he replied, "I am quite ignorant of the names of the jurymen."

"But they were called over before the trial commenced."

"Yes, that is the usual course, I believe, but I did not hear their names. Indeed, I paid no heed to them. Of what interest would they have been to me? Twelve strangers were twelve strangers; one was no different from the other."

"They were all strangers to you?" I asked, assuming a purposed carelessness of tone.

"Yes, every one of them."

"And you to them?"

"I suppose so. How could it have been otherwise?"

"But when they finally came back into court, and the foreman of the jury stated that they could not agree, you seemed surprised."

"Were you watching me?" he asked, suspiciously.

"Do you not think it natural," I said, in reply, "that every person's eyes at that moment should be turned upon you?"

"Of course," he said, recovering himself, "quite natural. I should have done the same myself

had I been in a better place than the dock. Well, I *was* surprised; I fully anticipated a verdict of guilty."

"And," I continued, "although you may not remember it, you leant forward, and gazed at the jury with an appearance of eagerness."

"I remember that I did so," he said; "it was an impulsive movement on my part."

"Did you recognize any among them whose face was familiar to you?"

"No; to tell you the truth, I could not distinguish their faces, I am so short-sighted."

"But you had your glasses hanging round your neck. Why did you not use them?"

It amazed me to hear him laugh at this question. It was a gentle, kindly laugh, but none the less was I astonished at it.

"You lawyers are so sharp," he said, "that there is scarcely hiding anything from you. Be careful what questions you ask me, or I shall be compelled," and here his voice grew sad, "to beg of you not to come again."

I held myself well within control, although his admonition startled me, for I had it in my mind to ask him something concerning the surprise he had evinced when the Nine of Hearts was produced from the pocket of his ulster; and I had it also in my mind to ask him whether he was acquainted, either directly or indirectly, with Mr. James Rut-

land. His caution made me cautious ; his wariness made me wary; I seemed to be pitted against him in a friendly contest, in which I was engaged in his interests, and he was engaged against them.

"I will be careful," I said ; "you must not close your door against me, although it is, unhappily, a prison door. I am here truly as a sympathizing friend. Look upon me in that light, and not in the light of a professional man."

"You comfort me," he said. "Although I may appear to you careless and indifferent, you know well enough it is impossible that I can be so ; you know that I must be tearing my heart out in the terrible position in which I have been forced by ruthless circumstance. Make no mistake ; I am myself greatly to blame for what has occurred. It has been forced upon me by my sense of honour, and right, and truth. Why, life once spread itself before me with a prospect so glad, so beautiful, that it almost awed me! But, after all, if a man bears within him the assurance that he is doing what he is in honour bound to do, surely that should be something! There,—you see what you have forced from me. Yes, I *did* look eagerly forward when I heard that the jury could not agree. At least there was one man there who believed me to be innocent, and without the slightest knowledge of him, I blessed him for the belief."

He gazed round with the air of a man who was fearful that every movement he made was watched and observed by enemies, and then he said, in a low tone,

"I need a friend."

I replied, instantly, following the tone that he had used, "I am here; I will be your friend."

"It is a simple service I require," he said; "I have a letter about me which I wish to be posted. What it contains concerns no one whom you know. It is my affair and mine only, and rather than make it another man's, I would be burnt to the stake, though we don't live in such barbarous times;" and then he added, with a sigh, "but they are barbarous enough."

"I will post the letter for you," I said.

He looked me in the face, a long, searching, wistful look, and as he gazed, I saw in his eyes a nobility of spirit which drew me as close to him in sympathy and admiration as I had ever been drawn in my life to any man.

"Dare I trust you?" he said, still preserving his low tone. "But if not you, whom can I trust?"

"You may trust me," I said; "I will post the letter for you, faithfully."

"Not close to the prison," he said. "Not in this district. Put it into a pillar-box at some distance from this spot."

"I will do as you desire."

"Honestly and honourably," he said.

"Honestly," I responded, "and honourably, as between man and man."

"You are a good fellow," he said, "I will trust you. I can never hope to repay you, but one day, perhaps, you may live to be glad that you did me even this slight service." And he slipped the letter into my hand, which I as secretly slipped into my pocket. Then I said—

"May I come to see you again?"

"Do. You have lightened the day for me—and many a day in addition to this!"

Soon afterwards I left him. I was honourably careful in the carrying out of his directions. I did not take the letter from my pocket until I was quite three miles from the prison, and then I put it into a pillar-box; but before I deposited it there, I looked at the address. Layton had not extracted a promise from me that I should not do so, and I will not say, therefore, whether, if he had, I should have violated it. I was engaged, against his will and wish, in his vital interests, and I might have broken such a promise; however that may be, my surprise was overwhelming when I saw that his letter was addressed to "Miss Mabel Rutland, 32, Lavender Terrace, South Kensington."

Rutland! Why, that was the name of the one juryman who had held out upon Layton's trial, and

from whom I had vainly endeavoured to obtain some useful information! Of all the cases I have been engaged in, this promised to be not only the most momentous, but the most pregnant and interesting. Rutland! Rutland! Had it been a common name, such as Smith, or Jones, I might not have been so stirred. It was no chance coincidence. I was on the track, and with all the powers of my intellect I determined to carry it to a successful issue.

Cable message from Mr. Bainbridge, London, to Mr. Archibald Laing, U.S.:

"Who is Miss Mabel Rutland, and is there any relationship between her and Mr. James Rutland? Also, in what relation does she stand to Edward Layton? Can you give me any information respecting the Nine of Hearts?"

Cable message from Mr. Archibald Laing, U.S., to Mr. Bainbridge, London:

"Miss Mabel Rutland is the niece of Mr. James Rutland. She and Mr. Edward Layton were once engaged to be married. The breaking off of the engagement caused great surprise, as they were deeply in love with each other. I do not understand your reference to the Nine of Hearts."

Cable message from Mr. Bainbridge to Mr. Archibald Laing:

"The Nine of Hearts I refer to is a playing card. I have reasons for asking."

Cable message from Mr. Archibald Laing to Mr. Bainbridge:

"I know nothing whatever concerning the Nine of Hearts."

II.

The information you give me, in your cable, that Miss Mabel Rutland and Edward Layton were once engaged to be married is of the utmost interest to me. You will doubtless in your letters explain more fully what you know, but I do not wait for letters from you. Time is too precious for me to lose an hour, a moment. I feel confident, before you enlighten me upon this point, that I shall ferret out something of importance which may lead to the end we both desire. I may confess to you at once that the case has taken complete hold of me, and that, without any prospect of monetary compensation, I should devote myself to it. That Edward Layton is bent upon sacrificing himself in some person's interests seems to me to

be certain. It would take something in the shape of a miracle to convince me that he is guilty of the crime of which he is charged. I have elected myself his champion, and if it be in the power of man to bring him out of his desperate strait with honour, I resolve, with all the earnestness of my heart and with all the strength of my intellect, to accomplish it. The intelligence that Mr. James Rutland is uncle to the young lady to whom Edward Layton was engaged may be of use to me. I do not yet despair of obtaining useful information from him.

My inquiry respecting the Nine of Hearts was not idly made. This particular playing card, which was found in the pocket of Layton's ulster, and of which he had no knowledge, is, I am convinced, an important feature in the case.

I have already enlisted the services of three or four agents, and as I intend to spare no expense, it may be that I shall call upon your bankers for a further sum of money, which I feel assured you will not begrudge.

Certain events are working in my favour. Of those that do not immediately bear upon the matter I shall make no mention, but those that do shall find a record here.

For some portion of the day after my interview with Edward Layton in prison, I was, apart from my practical work, engaged upon the consideration

of the question whether I should call upon Miss Mabel Rutland, at 32, Lavender Terrace, South Kensington. I went there in a cab, and reconnoitred the house outside, but I did not venture to enter it. It is one of a terrace of fourteen mansions, built in the Elizabethan style. No person could afford to reside there who was not in a position to spend a couple of thousand a-year. The natural conclusion, therefore, is that Miss Rutland's people are wealthy.

That in the absence of some distinct guide, or clue, or information, I should have been compelled to present myself at the address, for the purpose of seeking an interview with the young lady to whom Edward Layton's letter was addressed was certain; but chance or destiny came here to my assistance.

Dr. Daincourt called upon me at between ten and eleven o'clock in the night.

"I make no apology for this late visit," he said; "I have something of importance to communicate. When you spoke to me last night about the jury you gave me the list of names to look over. I glanced at them casually, and gathered nothing from them, until Mr. Laing's cable message arrived from America. That incident, of course, impressed upon my mind the name of Mr. James Rutland. It was strange to me; I was not acquainted with any person bearing it. But it is most singular that this afternoon I was unexpectedly called into con-

sultation upon a serious case, a young lady, Miss Mabel Rutland, who has been for some time in a bad state. The diagnosis presents features sufficiently familiar to a specialist—and also sufficiently perplexing. Her nerves are shattered; she is suffering mentally, and there is decided danger."

"Miss Mabel Rutland," I said, mechanically, "living at 32, Lavender Terrace, South Kensington."

"You know her?" exclaimed Dr. Daincourt, in astonishment.

"I have never seen her," I said, "but I know where she lives."

"Is she related," inquired Dr. Daincourt, "to the one juryman who held out upon Edward Layton's trial?"

"There is no need for secrets between us," I replied; "but it will be as well to keep certain matters to ourselves."

"Certainly. I will not speak of them to any one. It is agreed that what passes between us is in confidence."

"Miss Mabel Rutland is niece to the Mr. James Rutland who was on the jury."

"That is strange," exlaimed Dr. Daincourt.

"Very strange," I said; "but I shall be surprised if, before we come to the end of this affair, we do not meet with even stranger circumstances than that. Proceed, I beg, with what you have to tell me concerning Miss Rutland."

"Well," said Dr. Daincourt, "her parents are in great distress about her. I saw and examined her, and I am much puzzled. There is nothing radically wrong with her. There is no confirmed disease; her lungs are sufficiently strong; she is not in a consumption, and yet it may be that she will die. It is not her body that is suffering; it is her mind. Of course, I was very particular in making the fullest inquiries, and, indeed, she interested me. Although her features are wasted, she is very beautiful, and there rests upon her face an expression of suffering exaltation and self-sacrifice which deeply impressed me. In saying that this expression *rests* upon her face, I am speaking with exactness. It is not transient; it does not come and go. It is always there, and to my experienced eyes it appears to denote some strong trouble which has oppressed her for a considerable time, and under the pressure of which she has at length broken down. I could readily believe what her parents told me, that there were times when she was delirious for many hours."

"Has she been long ill?" I inquired.

"She has been confined to her bed," replied Dr. Daincourt, "since the twenty-sixth of March."

"The twenty-sixth of March," I repeated; "the day on which Mrs. Edward Layton was found dead."

Dr. Daincourt started. "I did not give that a thought," he said.

"Why should you?" I remarked. "I may confess to you, doctor, that I apply almost everything I hear to the case upon which I am engaged. I shall surprise you even more when I ask you whether, during the time you were in 32, Lavender Terrace, you heard the name of Edward Layton mentioned."

"No," replied Dr. Daincourt; "his name was not mentioned. Bainbridge, I know that you are not given to idle talk; there is always some meaning in what you say."

"Assuredly," I said, "I am not in the mood for idle talk just now. Events are marching on, doctor, and I am inclined to think that we are on the brink of a discovery. You have not yet told me all I wish to know concerning Miss Mabel Rutland. What members of the family did you see?"

"Her mother, her father, and herself," replied Dr. Daincourt.

"Do those comprise the whole of the family?"

"I do not know; I did not inquire."

"Give me some description of her parents."

"Her father," said Dr. Daincourt, "is a gentleman of about sixty years of age."

"Is there any doubt in your mind that he is a gentleman?"

"Not the slightest."

"Attached to his daughter—entertaining an affection for her?"

"I should certainly say so, but at the same time not given to sentimental demonstration."

"As to character, now?" I asked. "What impression did he leave upon you?"

"That he was stern, self-willed, unbending. Hard to turn, I suspect, when once he is resolved."

"Like his brother," I observed, "Mr. James Rutland, who was on Layton's trial. Those traits evidently run in the family. Now, as to his wife?"

"A gentle and amiable lady," said Dr. Daincourt, "some eight or ten years younger than her husband; but her hair is already greyer than his; it is almost white."

"She and her daughter resemble each other," I remarked.

"Yes; and there is also on the mother's face an expression of devotion and self-sacrifice. Her eyes continually overflowed when we were speaking of her daughter."

"Not so the father's eyes?"

"No; but he showed no want of feeling."

"Still, doctor," I said, "you gather from your one visit to the house that he is the master of it. In every sense, I mean."

"Most certainly the master."

"Ruling," I remarked, "with a rod of iron."

"You put ideas into my head," said Dr. Daincourt, in a somewhat helpless tone.

"If they clash with your own, say so."

"They do not clash with my own, but I am not prone so suddenly to take such decided views. I should say you are right, Bainbridge, and that in his house Mr. Rutland's will is law."

"Would that be likely," I asked, "to account in any way for the expression of self-sacrifice you observed on the faces of mother and daughter?"

"It might be so," said Dr. Daincourt, thoughtfully.

"Proceed, now," I said, "and tell me all that passed."

"But little remains to tell," said Dr. Daincourt. "I informed the parents that their daughter was suffering more from mental than from physical causes; that it was clear to me that there was a heavy trouble upon her mind, and that, until her trouble was removed, there was but faint hope of her getting well and strong. 'I am speaking in the dark,' I said to the parents, 'and while I remain in ignorance of the cause, it is almost impossible for me to prescribe salutary remedies.' 'Can you do nothing for her?' asked the father. 'Can you not give her some medicine?' 'Yes, I can give her medicine,' I replied, 'but nothing that would be likely to be of benefit to her. Indeed,

the medicine already in her room is such as would be ordinarily prescribed by a medical man who had not reached the core of the patient's disease.' 'If she goes on as she is going on now,' said the father, 'what will be the result?' 'Her strength is failing fast,' I replied; 'what little reserve she has to draw upon will soon be exhausted. If she goes on as she is going on now, I am afraid there will be but one result.' The mother burst into tears; the father fixed his steady gaze upon me, but I saw his lips quiver. 'We have called you in, Dr. Daincourt,' he said, 'because we have heard of wonderful cures you have effected in patients who have suffered from weak nerves.' 'I have been happily successful,' I said, 'in effecting cures; but I have never yet succeeded where a secret has been hidden from me.' At these words the mother raised her hands imploringly to her husband. 'Do you think that a secret is being hidden from you in this case?' asked the father. 'It is not for me to say,' I replied; 'it is simply my duty to acquaint you with the fact that your daughter's disease is mental, and that her condition is critical. Until I learn the cause of her grief, I am powerless to aid her.' 'Will you oblige me by calling to-morrow?' asked the father, after a slight pause. 'Yes,' I said, preparing to depart, 'I will call in the afternoon, and, if you wish, will see your daughter again.' He expressed his

thanks in courteous terms, and I took my leave. I should have come here earlier, Bainbridge, to relate this to you, but I have had other serious cases to attend to. A doctor's time is not his own, you know."

"I have something to tell you, doctor," I said, "with reference to your new patient, which will interest you. Mabel Rutland was once engaged to be married to Edward Layton, and I believe there was a deep and profound attachment between them."

"You startle me," he said, "and have given me food for thought."

When he bade me good-night, it was with the determination to extract, if possible, from Mabel Rutland's parents, some information respecting her mental condition which might be used to her benefit. For my part, I must confess to the hope unreasonable as it may appear, that he may also be successful in obtaining some information which will assist me in the elucidation of the mystery upon which I am employed.

Cable message from Mr. Bainbridge, London, to Mr. Archibald Laing, U. S.:

"Give me what particulars you can of Miss Mabel Rutland and her parents, and of her brothers and sisters, if she has any."

Cable message from Mr. Archibald Laing, U.S., to Mr. Bainbridge, London :

"Miss Mabel Rutland has no sisters. She has only a twin brother, Eustace, to whom she was passionately attached and devoted. This brother and sister and their parents comprise the family. Mr. Rutland is of an implacable and relentless disposition, impatient of contradiction, and obstinate to a degree. These qualities were exercised in my favour some years ago, when I paid court to Miss Rutland, in the hope of making her my wife. Her father would have forced her into a marriage with me, but when I could no longer doubt that she loved Edward Layton, I preferred to retire rather than render her unhappy. By so doing, I think I won her esteem, and it is for her sake I wish Layton to be cleared of the charge brought against him. It is my belief that she still loves him, and she must be suffering terribly. If Layton is convicted, it will break her heart. I know very little of her brother Eustace. He was at Oxford when I was in London, and I met him only once or twice. Mrs. Rutland is a sweet lady, gentle-mannered, kindly-hearted, and I fear domineered over by her husband."

III.

I thank you for the information contained in your last cable. It gives me an insight into the generous motives which have prompted you to step forward on Edward Layton's behalf, and I am gratified in being associated with you in the cause. When a counsel finds himself *en rapport* with his client, it is generally of assistance to him; he works with a better spirit.

Three days have passed since I wrote and despatched to you the second portion of the narrative of my proceedings and progress. I was waiting anxiously for something to occur—I could not exactly say what—which would serve as an absolute stepping stone. Something *has* occurred which, although I have not yet discovered the key to it, will, I believe, prove to be of the utmost importance. You will understand later on what I mean by my use of the word "key"; and when I tell you that this which I call the stepping stone is nothing more or less than the Nine of Hearts, you will give me credit for my prescience on the first production of that card in the Criminal Court. I felt convinced that it would be no insignificant factor in the elucidation of the Layton mystery.

I may say here that the progress we have made is entirely due to Dr. Daincourt. What I should have done had he not been unexpectedly

called in to our assistance it is difficult to say. I should not have been idle, but it is scarcely likely that, within so short a time, my actions would have led to the point we have now reached. Dr. Daincourt has allowed himself to be prompted by me to a certain extent, and his interest in his beautiful patient has been intensified by the friendship existing between us, and by the esteem we both entertain for Edward Layton.

In accordance with the promise Dr. Daincourt gave to Mr. Rutland, he called upon that gentleman on the day following his first visit to the house. During the interval Miss Rutland's condition had not improved; it had, indeed, grown worse. There was an aggravation of the feverish symptoms, and her speech was wild and incoherent. Perhaps it would be more correct to say that it was wild and incoherent to those who were assembled at her bedside. I hold to the theory that there is a method in dreams, and I also hold to the theory that there is a method in the wildest utterances produced by the wildest delirium. I speak, of course, as a lawyer. Dr. Daincourt's position with respect to Miss Rutland was that of a physician. Had *I* heard the words uttered by Miss Rutland in her fevered state, I do not doubt that my legal training would have enabled me to detect what was hidden from Dr. Daincourt and the young lady's parents.

During this second visit to Miss Rutland, her father requested Dr. Daincourt to give him a private interview, in the course of which he elicited from the doctor an accentuation of the views which Dr. Daincourt had expressed on the previous day. Mr. Rutland made a vain attempt to combat these views. He would have been glad to be assured that his daughter was suffering from a physical, and not from a mental malady; but Dr. Daincourt was positive, and was not to be moved from his conviction. He emphasized his inability to treat the case with any hope of success, and he repeated his belief, if Miss Rutland were allowed to continue in her present condition, without any effort being made to arrive at the cause of her mental suffering, that there could be but one result—death, before the end of the year.

At the commencement of this interview between Mr. Rutland and Dr. Daincourt, Mrs. Rutland was not present; but after it had lasted some twenty minutes or so, her anxiety became so overpowering that she knocked at the door of the room in which the conversation was taking place, and begged to be admitted. The issue at stake was so grave that Mr. Rutland could not refuse, and thus it was that she was present when Dr. Daincourt spoke in plain terms of the serious condition of his beautiful patient. The mother's distress was

pitiable, but it appeared to produce no impression upon her husband.

"And yet," said Dr. Daincourt, in narrating the affair to me, "I am sure that Mr. Rutland was inwardly suffering, and I am also sure that he has a sincere affection for his daughter."

The interview terminated by Mr. Rutland requesting Dr. Daincourt to call again the next day, to which request the doctor gave a reluctant assent.

He called on the following day, with the same result. Again he saw the patient; again he had an interview with Mr. Rutland, at which Mrs. Rutland was present; again he emphasized his view of the young lady's condition; and again Mr. Rutland requested him to pay another visit upon his daughter. Dr. Daincourt objected. He told Mr. Rutland that, as matters stood, his visits were useless, and that in the absence of necessary information it was his distinct wish to be relieved from them.

"And I feel it my duty," he said to the father, "to inform you, that if you intend to do nothing further than it seems to me is your present intention, you are playing with your daughter's life."

These were grave words to use, but Dr. Daincourt is no ordinary man. His knowledge and experience lead him intuitively to correct conclusions, and in his professional capacity he will not be trifled with.

"In these circumstances," he said to Mr. Rutland, "I must beg of you to summon some other physician in whom you have greater confidence."

"I have the fullest confidence in you," said Mr. Rutland.

"You have not shown it," was Dr. Daincourt's rejoinder. "It is as though you have determined that you, and not I, shall be your daughter's physician."

However, he allowed himself to be prevailed upon to pay Miss Rutland yet another visit. But he gave his consent only upon the express stipulation that it should be his last, unless Mr. Rutland placed him in possession of information which would enable him to fully understand the case.

I come now to this fourth interview, which was pregnant with results.

Upon presenting himself at the house, he was received by Mrs. Rutland, who said to him,

"My husband has consented that I should tell you all you desire to know with respect to our dear child."

"You have prevailed upon him to consent," said Dr. Daincourt.

"Yes," replied Mrs. Rutland, "I have, thank God! prevailed upon him to consent. Dear doctor, you will save my child, will you not?"

"I will do all that lies in my power," said Dr. Daincourt.

"What is it you wish to know?" asked Mrs. Rutland.

"Everything that concerns your daughter," said Dr. Daincourt, "with respect to her disposition, habits, likings, and affections. She has a terrible weight upon her mind, and you must certainly have some suspicion of the cause. You may have more than a suspicion, you may have a positive knowledge. You must hide nothing from me. Unless you are prepared to be absolutely and entirely frank in your disclosures, I cannot undertake to continue my visits. You are her mother—you love her tenderly?"

"I love her with all my heart and soul," said Mrs. Rutland, weeping. "If my daughter is taken from me, I shall not care to live!"

"In deep sincerity, then," said Dr. Daincourt, "I declare to you that you may be acting as your daughter's enemy instead of her friend if you do not open your heart and mind to me freely and without restraint. Relate, as briefly as you can without omitting important points, the story of her life."

It was a simple, touching story which Mrs. Rutland disclosed, fragrant with all that is sweetest in woman. The Rutlands have but two children, Mabel and Eustace, who came into the world within a few minutes of each other. Between these children existed a most profound and devoted

love, and to tear Eustace away from Mabel was like tearing the girl's heart-strings. The lad's love was the weaker of the two, as is usually the case, but he nevertheless adored his sister, who repaid him ten-fold for all the affection he lavished upon her. They grew up together, shared each other's pleasures, had secret and innocent methods of communicating with each other which afforded them intense delight, and were inseparable until they reached the age of eighteen, when Eustace went to college. Hitherto his studies had been conducted at home, a home of peace, and harmony, and love. For, stern and implacable as Mr. Rutland was, he loved his children and his wife; but he loved something else equally well—his honour and his good name. While Eustace was absent at college, he and Mabel corresponded regularly.

"But," said the mother, "neither my husband nor myself was ever able to understand Eustace's letters to his sister. They were always written in the form of mystery-letters. It had been their favourite amusement when they were children to discover and invent new methods of corresponding with each other, of which only they possessed the secret. 'There, mamma,' Mabel would say, with a laugh, giving me one of my dear Eustace's letters from college, 'read that!' But it might as well have been written in Greek for anything that I could make of it. Words and figures were

jumbled together, without any meaning in them that I could discover, and the entire page was a perfect puzzle. Then Mabel would take the letter from me, and read it off as easily as possible; and I remember her saying once, 'If Eustace and I ever had any real secrets, mamma, we shall be able to tell them to each other through the post, without any person in the world being one bit the wiser.' Little did I think that the time would arrive when her words would bear a fatal meaning."

Eustace, then, being at college, and Mabel at home, it unfortunately happened that the lad fell into evil ways. He got mixed up with bad companions. The hours that should have been employed in study were wasted in gambling and dissipation, and his career at college was by no means creditable. His father had set his heart upon Eustace obtaining honours at Oxford, and he was sorely and bitterly disappointed when the reports of his son's proceedings reached him. Unfortunately these reports did not come to his ears until much mischief had been done, and it was at about this time that Eustace returned home, declaring that he would never go back to college.

At about this time, also, momentous events were occurring in Mabel's life. A beautiful girl with an amiable and sweet disposition, with most winning ways, and with a wealthy father moving in a good social position, it was not to be won-

dered at that she had suitors for her hand; but there were only two whose affection for her was regarded seriously by the family. One of these was Mr. Edward Layton, the other Mr. Archibald Laing.

Mabel's father favoured the suit of Archibald Laing; Mabel's uncle, the gentleman who was upon the jury in the trial, favoured the suit of Edward Layton. He was never weary of sounding the young man's praises, and it may be that this rather strengthened Mabel's father against Edward Layton. However, the young lady had decided for herself. She had given her heart to Edward Layton, and there grew between them an absorbing and devoted attachment.

While these matters were in progress, both Archibald Laing and Edward Layton were admitted freely to the house, and thus they had equal chances. But when the lady whom two men are in love with makes up her mind, the chances are no longer equal. It was not without a struggle that Archibald Laing abandoned his pretensions. From what afterwards transpired, he could not have loved Mabel with less strength than Edward Layton did. It was no small sacrifice on his part to relinquish his hopes of winning Mabel for his wife, more especially when her father was on his side. There were interviews of an affecting nature between him and Mabel. There were interviews

also, between him and Edward Layton. The two men had been friends long before they came into association with Mabel Rutland, and it speaks well for the generosity and nobility of their natures that this affair of the heart—the like of which has been the cause of bitter feuds from time immemorial—did not turn their friendship into enmity. In the estimate of their characters at this period Archibald Laing showed the higher nobility, for the reason that it devolved upon him to make a voluntary and heartrending sacrifice. He informed the young lady's parents that he gave up all hope of obtaining their daughter's hand, and at the same time he declared that if it ever lay in his power to render Mabel or Edward Layton a service, he would not hesitate to render it, whatever might be the cost. Nobly has he redeemed this pledge.

He suffered much—to such an extent, indeed, that he determined to leave the country, and find a home in another land. He bade the Rutlands farewell by letter, and sailed for America, where he settled, and realized an amazing fortune.

The field was thus left free for Mabel and Edward. Mr. Rutland was seriously displeased. He had been thwarted in a wish that was very dear to him, and he was not the kind of man to forget the defeat. Although Edward Layton was allowed to come to the house, Mr. Rutland received him without favour, and it was only upon the imploring

and repeated solicitations of his wife and daughter that he consented to an engagement between the young people. It was a half-hearted consent, and caused them some unhappiness. More than once he declared in their presence, and in the presence of his wife, that if anything ever occurred which would cast the slightest shadow of doubt or dishonour upon Edward Layton, no power on earth should induce him to allow the marriage to take place. It was not necessary for him to impress upon them that, above everything else in the world, he was jealous of his good name. They knew this well enough, and were in a certain sense proud in the knowledge, because the stainless reputation he bore reflected honour upon themselves. But they did not see the cloud that was hanging above them. It gathered surely and steadily, and brought with it terrible events, in the whirlpool of which the happiness of Mabel and Edward was fated to be engulfed.

The cause lay not in themselves. It lay in Eustace Rutland. It was he who was responsible for all.

He was in London, in partial disgrace with his father. He was without a career; he had already contracted vicious and idle habits; he was frequently from home; and although his father questioned him severely, he would give no truthful account of his movements and proceedings. Some

accounts he did give; but his father knew instinctively that they were false or evasive. As he could obtain no satisfaction from his son, Mr. Rutland, aware of the perfect confidence which existed between Eustace and Mabel, applied to her for information; but she would not utter one word to her brother's hurt. Her father could extract nothing from her, and there gradually grew within him an idea that there was a conspiracy against him in his own home, a conspiracy in which Edward Layton was the principal agent. It was natural, perhaps, that he should think more hardly of this stranger than of his own children.

Had he set a watch upon his son, he might have made discoveries which would have been of service to all, and which might have averted terrible consequences. But proud and self-willed as he was, it did not occur to him to do anything which, in his view, savoured of meanness. His son Eustace went his way, therefore, to sure and certain ruin. When he was absent from home he corresponded regularly with his sister, and Mr. Rutland sometimes demanded to see this correspondence.

"You can make nothing of it, papa," said Mabel. "Eustace and I do not correspond like other people."

He insisted, nevertheless, upon seeing these letters, and Mabel showed them to him. As he

could not understand them, he demanded that she should read them, intelligibly, to him; but it being a fact that there was always something in Eustace's correspondence which would deepen his father's anger against him, the young girl refused to read them. This, as may be supposed, did not tend to pacify Mr. Rutland. It intensified the bitterness of his heart towards those whom he believed were conspiring against him. He applied to Edward Layton.

"You are in my daughter's confidence," he said to the young man, "and as you have wrung from me a reluctant consent to an engagement with her, I must ask you to give me the information which she withholds from me."

He met with another rebuff. Edward Layton declared that he would not violate the confidence which Mabel had reposed in him. At one time Mr. Rutland said to Edward Layton,

"My son has been absent from home for several days. Have you seen him?

"Yes, sir," replied Edward, "I have seen him."

But he would say nothing further.

He was in a most painful position. Mabel had extracted from him a solemn promise that he would reveal nothing without her consent, and he was steadfastly loyal to her. He had another reason for his silence, and, in the light of that reason, and of the feelings which Mr. Rutland

harboured towards him, he felt that the happiness he hoped would be his was slipping from him.

The explanation of this other reason, which unhappily was a personal one, brings upon the scene a person who played a brief but pregnant part in this drama of real life, and who is now in his grave. This person was Edward Layton's father.

"What was the nature of the relations," said Mrs. Rutland, "between this gentleman and my dear son Eustace I do not know. All that I do know is that they were in association with each other, and I am afraid not to a good end. It came, also, by some strange means to the knowledge of my husband, and a frightful scene occurred between him and Edward Layton, in which Mabel's lover was dismissed from the house. My husband withdrew the consent he had given to the engagement, and used words which, often since when I have thought of them, have made me shudder, they were so unnecessarily cruel and severe. 'If from this day,' my husband said to the young gentleman, 'you pursue my daughter with your attentions, you will be playing a base and dishonourable part. If you wish me to turn my daughter from my house, you can by your actions bring about this result. But bear in mind, should it come to pass, that she will go from my presence with my curse upon her—a beggar! I am not ignorant of my duties with respect to my children. I

have not been sparing of love towards them. Hard I may be when my feelings are strongly roused, but I am ever just. In the secrets that are being hidden from me there is, I am convinced, some degrading and shameful element; otherwise, it is not possible that you should conspire to keep them from me. If the matter upon which you are engaged were honourable, there would be no occasion to keep it from my knowledge. Do not forget that you have it in your power to wreck not only my daughter's happiness, but her mother's and mine, if that consideration will have any weight with you.' There was much more than this, to which Mr. Edward Layton listened with a sad patience which deepened my pity for him. He bore, without remonstrance, all the obloquies that were heaped upon him by my unhappy husband who soon afterwards left the room with the injunction that Mr. Layton was, on no account, to be allowed an interview with my daughter. Then Mr. Layton said to me, 'I must bear it. If the happiness of my life is lost it will be through the deep, the sacred love I bear for your child. I devote, not only the dearest hopes of my life, but my life itself to her cause. Fate is against us. A man can do no more than his duty.'"

From that day to this Mabel's mother has never seen Edward Layton. When she heard of his marriage into a family whose position in society

was to say the least equivocal, she was in great distress, fearing the effect the news would have upon her dear daughter. Mabel Rutland suffered deeply, but during that time of anguish she appeared to summon to her aid a certain fortitude and resignation which served her in good stead. It astonished her mother one day, to hear her say,

"Do not blame, Edward, mamma; he is all that is good and noble. Although he is another lady's husband, and although our lives can never be united as we had hoped, I shall ever love and honour him."

"Time will bring comfort to you, my darling," said the mother, "and it may be that there is still a happy fate in store for you. You may meet with another man, around whom no mystery hangs, to whom your heart will be drawn."

"Never, mamma," replied Mabel. "I shall never marry now."

What most grievously disturbed Mrs. Rutland was the circumstance that, even within a few weeks of Edward Layton's marriage, he corresponded with her daughter. Her father was not aware of this. He usually rose late in the morning, and it devolved upon Mrs. Rutland to receive the correspondence which came by the first post. The letters that Edward Layton wrote to Mabel were invariably posted at night, from which it

would appear that the young man was aware that they would fall into the hands of Mabel's mother, and that Mr. Rutland, unless he were made acquainted with the fact, was not likely otherwise to discover it. When Mrs. Rutland gave her daughter the first letter from Mr. Layton, Mabel said to her,

"Do not be alarmed, mamma. This letter is in reply to one I wrote to Mr. Layton. I may have other letters from him which I beg you to give me without papa's knowing. It may appear wrong to you, but it is really not so. Everything is being done for the best, as perhaps you will one day learn."

Sad at heart as Mrs. Rutland was, she had too firm a trust in her daughter's innate purity and sense of self-respect not to believe what she said, both in its letter and in its spirit, and thus it was that the secret of this correspondence was also kept from Mr. Rutland. By pursuing the course she did, Mrs. Rutland preserved, to some extent, peace in the household.

Thus matters went on for two years, until Eustace Rutland's wild conduct produced a terrible disturbance. His absences from home had grown more frequent and prolonged; he became dreadfully involved, and Mr. Rutland received letters and visits from money-lenders (a class of men that he abhorred) in connection with his son's proceedings. Incensed beyond endurance he banished

Eustace from the house, and forbade him ever again to enter his doors.

"It seemed to be fated," said Mrs. Rutland, "that there should be always something in our family that it was necessary to conceal from my husband's knowledge. He banished Eustace from home, but that did not weaken my love for our dear lad. Three times during the past year I have seen Eustace, and I have not made my husband acquainted with the fact. What could I do? Had I asked his permission he would have sternly refused it, and had I told him that I could not resist the impulse of my heart to fold my dear boy in my arms, it would only have made matters worse for all of us."

She related to Dr. Daincourt a circumstance which had deeply angered her husband. Among the presents the father had given to his daughter was a very costly one, a diamond bracelet of great value, for which Mr. Rutland had paid no less than five hundred guineas. One evening a dinner party was given at the house, and Mr. Rutland particularly desired that Mabel should look her best on the occasion. He said as much to his daughter, and expressed a desire that she should wear certain articles of jewellery, and most especially her diamond bracelet. He noticed at the dinner table that this bracelet was not upon Mabel's arm; he made no remark before his guests, but when they

had departed he asked Mabel why she had not worn it.

"I have so many other things, papa," she replied, "that you have given me. It was not necessary."

"But," said her father, "I desired you particularly to wear the bracelet. Is it broken? If so, it can be easily repaired. Let me see it."

Then the mother saw trouble in her daughter's face. Mabel endeavoured to evade her father's request, and strove to turn the conversation into another channel. But he insisted so determinedly upon seeing the bracelet that she was at length compelled to confess that it was not in her possession. Upon this Mr. Rutland questioned her more closely, but he could obtain from her no satisfactory information as to what had become of it. Suddenly he inquired if her purse was in her room. She answered yes, and he desired her to bring it down to him. She obeyed; and when he opened the purse he found only three or four shillings in it.

"Is this all you have?" he inquired.

"Yes, papa," she said, "this is all."

"But it was only yesterday," said Mr. Rutland, "that you asked me for twenty pounds, and I gave them to you. What have you done with the money?"

Upon this point, also, he could obtain no satisfactory information. He was greatly angered.

"I thought," he said, "when Mr. Layton married into the family of a professional sharp—a fit connection for him—that the conspiracy in my house against my peace of mind, and it seems to me against my honour, would come to an end. It was not so. I perceive that I am regarded here as an enemy by my own family, not as a man who has endeavoured all through life to perform his duties in an honourable and straightforward way Go to your room, and let me see the diamond bracelet before this month is ended, or let me know what you have done with it. If you have lost it," he added, gazing sternly upon his daughter, "find it."

Before the month was ended Mabel showed him the diamond bracelet, but her mother was aware that there were other articles missing from among her daughter's jewellery.

Mrs. Rutland having come to the end of her narrative, Dr. Daincourt began to question her.

"Your daughter," he said, "was taken ill on the 26th of March, and I understand that she has been confined to her bed since that day. Were there any premonitory symptoms of a serious illness, or was the seizure a sudden one?"

"It was quite sudden," replied Mrs. Rutland. "I went into her room early in the morning, and found her in a high state of fever."

"Has she been sensible at all since that time?"

"No."

"Not sufficiently sensible to recognize any one who attended her?"

"No; she does not even know me, her own mother."

"What did the physician whom you first called in say about the case?"

"He said that she had brain fever, and that it had been accelerated by her having caught a violent cold through wearing damp clothing."

"Do you think she wore that clothing in the house?"

"No."

Dr. Daincourt has certain ways and methods of his own. He is in the habit of keeping in his pocket-book a tablet of the weather from day to day.

"If your daughter did not wear damp clothes in the house," he said, "she must have worn them out of the house."

He took his pocket-book from his pocket, and consulted his weather tablet.

"I see," he said to Mrs. Rutland, "that from the 12th till the 25th of March there was no rain. The weather was mild and unusually warm during those days, but on the evening of the 25th of March it began to rain, and rained during the night. Your daughter must have been out during those hours in the bad weather. What were her movements on that evening? Remember, you

must keep nothing from me if you wish me to do my best to restore your child to health."

Still, it was with some difficulty that he extracted from Mrs. Rutland the information he desired to obtain. Obtain it, however, he did. Mrs. Rutland informed him that Mabel had gone out on the evening of the 25th of March, and did not return home until nearly one o'clock in the morning. Mr. Rutland was not aware of this. Mrs. Rutland had stopped up for her daughter, and had let her in quietly and secretly. The young girl was pale and greatly agitated, but she said nothing to her mother. She kissed her hurriedly, went to her bedroom, and was found the next morning in the condition Mrs. Rutland had described.

"Being in a fever from that day," said Dr. Daincourt to the mother, "your daughter has seen no newspapers?"

"No."

"And she is ignorant of the peril through which her former lover, Edward Layton, has passed, and in which he still stands?"

"She is ignorant of it," said Mrs. Rutland.

"Have any letters arrived for her during her illness?"

"Yes; two. One in the handwriting of Mr. Layton, the other from my dear boy, Eustace."

"Have you those letters?"

"Yes."

"Have you opened them?"

"No. My daughter made me give her a solemn promise that I would never open one of her letters, and I have not done so."

"But," said Dr. Daincourt, "this is a matter of life and death. I must ask you to give me those letters, and I will take upon myself the responsibility of opening them. I must ask you for something more. Your daughter has a desk?"

"Yes."

"The key of which is in her room?"

"Yes."

"Bring down the desk and the key. Ask me no questions concerning my motives. I am in hopes that I shall be able to discover the true cause of your daughter's illness, and that will enable me to adopt towards her the only treatment by which it is possible she can recover."

Mrs. Rutland brought down the desk and the key. In the mother's presence Dr. Daincourt opened the desk. There were in it no letters from Edward Layton, but it contained two of what Mrs. Rutland called the mystery-letters which Eustace was in the habit of writing to his sister. These letters were in their envelopes, the postmarks upon which indicated their order of delivery.

Dr. Daincourt could make nothing of them, and Mrs. Rutland could not assist him. They were written upon small single sheets of notepaper.

and appeared to be a perfect jumble of incomprehensible words; around the margin of these words were a number of figures and alphabetical letters as incomprehensible as themselves. Searching further in the desk, he made a startling discovery—three playing cards, each of them being the Nine of Hearts. He asked Mrs. Rutland—who appeared to be almost as startled as he was himself by the discovery—whether she could give him any explanation of the cards, and she said that she could not. Then Dr. Daincourt said that he would take the playing cards and the letters away with him.

"At the same time," he observed to Mrs. Rutland, "if it is any consolation to you, I undertake your daughter's case, and will do the best for her that lies within my skill and power."

He then went to see Miss Rutland in her bed, wrote out a prescription, gave certain instructions, and left the house.

"I have come to you," said Dr. Daincourt to me, "with these letters and the playing cards . . . I will leave them with you. You said that the Nine of Hearts was a tangible link in the chain of Edward Layton's innocence. Is it not most mysterious and strange that three of these identical cards should be found in Miss Rutland's desk, and that one should be found in the pocket of Edward Layton's ulster which he wore on the 25th of March? Does not this circumstance, in conjunc-

tion with what you now know of Mabel Rutland's movements on that night, go far to prove that the lady whom Edward Layton met in Bloomsbury Square was none other than his old sweetheart? Heaven knows what conclusions are to be drawn from the coincidence. I will make no comments; indeed, I almost tremble to think of the matter. Your legal mind will, perhaps, enable you to deduce something from Eustace's letter to his sister which may be of service to you and Edward Layton. To me they are simply incomprehensible. Before I visit Miss Rutland to-morrow, I will call on you. You may have something to say to me. I sincerely trust I shall not be the means of bringing fresh trouble upon her and hers."

With that he wished me good night, and I was left alone.

I set myself sedulously to the task of discovering the key to these mysterious letters. Dr. Daincourt had not opened the two sealed letters which had arrived during Miss Rutland's illness, and I did not immediately do so. I felt a delicacy with respect to Edward Layton's letter to the young lady which he had given me in prison to post for him. I put them aside, and selecting the first of the two letters from Eustace Rutland which had been found in Mabel's desk (judging from the postmarks on their envelopes which of the two she had first received, for they bore no date), I devoted

myself to a study of it. This is an exact copy of the singular communication, the size of the paper, and the arrangement of the words, and of the figures and alphabetical letters, being faithfully followed :

T 20 X 2 C 14 H 7 E 3

17 D

B face birds the stares 9

6 in runs back got I F

M in your hundred send 10

11 trees the money won are J

A 1

8 death river diamond gaily me K

T on bracelet four singing 19

18 instantly cherry the the R

W 12

13 B 5 N 16 P 15 V 4 U

It appeared to me that the first thing I had to consider was the relation, if any, that the alphabetical letters and figures bore to the words to which they formed a frame. I did not lose sight of the suggestion which immediately arose that this framework of figures and alphabetical letters might be placed there as a blind, although the evident care and pains which had been bestowed upon them was opposed to the suggestion. But, then again, the care thus exercised might be intended to more deeply mystify any strange person into whose hands the missive might fall. In order not to deface or mutilate the original, I made two exact copies of it for my own purposes, using as a kind of ruler one of the playing cards which Dr. Daincourt had also found in Mabel Rutland's desk.

There were two words in the missive which soon attracted me. These were, the third word, "diamond," in the fifth line, and the second word, "bracelet," in the sixth line. "Diamond bracelet." I did not doubt that this was the diamond bracelet which Mr. Rutland had presented to his daughter, and which she could not wear at the dinner party because it was not at that time in her possession. Here, then, was a clue, but here I stopped. No ingenuity that I could bring to bear enabled me to connect other words with "diamond bracelet." I cudgelled my brains for at least half an hour.

Then, all at once it occurred to me (what in the excitement of my pursuit I may very well be excused for not having thought of before), that the playing card, the Nine of Hearts, must bear some relation to the missive. I placed it upon the paper. Every word was hidden by the surface of the card; only the figures and the alphabetical letters were visible. "Doubtless," thought I, "if I cut out the pips of a Nine of Hearts, and place it upon the paper, I shall see certain words which will form the subject-matter upon which Eustace Rutland wrote to his sister." In that case the mystery was confined to nine words which, whatever their arrangement, would not be too difficult to intelligibly arrange. I would not mutilate Miss Rutland's playing cards. I had packs of my own in the house, and from these I selected the Nine of Hearts, and cut out the pips. It was not an easy matter, and in my eagerness I pretty effectually destroyed the surface of my table; but that did not trouble me. My interest was now thoroughly aroused, and grew keener when, placing the Nine of Hearts upon Eustace Rutland's mystery-letter, I found these words disclosed:

Face—stares—in—send—money—death—me—instantly—the.

Here, then, in these nine words, was the communication which Eustace Rutland intended his sister to understand. I copied them on a separate

sheet of paper, and arranged them in different ways until I arrived at their correct solution :

"Death stares me in the face send money instantly."

Congratulating myself upon my cleverness, I came to the conclusion that Eustace Rutland, being banished from his father's house, and not being able to obtain from his father the funds necessary for his disreputable career, was taking advantage of his sister's devoted affection for him, and was in the habit of calling upon her to supply him with money—which, no doubt, the young lady did to the best of her ability. Curiosity led me to the task of endeavouring to discover whether the alphabetical letters and the figures in the frame-work bore any relation to this communication. With only the nine words exposed through the pips of the Nine of Hearts which I had cut away, I saw that the first word, "death," was the sixth, and the second word, "stares," was the second, and the third word, "me," was the seventh. The sequence of the figures, therefore, was 6, 2, 7. Now, how were these three figures arranged in the frame-work? The figure 6 came after the letter M, the figure 2 came after the letter X, the figure 7 came after the letter H. Satisfied that I had found the key, I began to study how these figures from 1 to 9, representing the nine words in the communication and the Nine of Hearts in the playing card,

were arranged in the framework in such a manner as to lead an informed person at once to the solution. There must be a starting point with which both Eustace and his sister Mabel were acquainted. What was this starting point? One of the letters of the alphabet. What letter? A. Starting, then, from A in the framework, I found that the figures from 1 to 9 ran thus: 6, 2, 7, 3, 9, 1, 4, 5, 8. Upon following, in this order, the course of the words which were exposed by the playing card with the nine pips cut out, I came to the conclusion that I had correctly interpreted this first mystery-letter. I was very pleased, believing that the key I had discovered would lead me to a correct reading of Eustace's second and third letter to his sister.

So absorbed had I been in the unravelling of this mystery-letter, which occupied me a good hour and a half, that I had lost sight during the whole of that time of the two words which had at first enchained my attention—"diamond bracelet." "Death stares me in the face send money instantly" had appeared to me so reasonable a construction to be placed upon the communication of a man who must often have been in a desperate strait for want of funds, that the thought did not obtrude itself that these words might be merely a blind, and that, in the words that remained after the obliteration of this sentence, the correct solu-

tion was to be found. The longer I considered, the stronger became my doubts; with "diamond bracelet" staring me in the face, I felt that I had been following a will o' the wisp.

I had asked Dr. Daincourt the date of the dinner party at which Mr. Rutland had detected the absence of the diamond bracelet on his daughter's arm. That date was the 8th of September. I examined the postmark on the envelope of Eustace Rutland's first communication; it was the 26th of September. Mr. Rutland had laid upon his daughter the injunction that the diamond bracelet was to be shown to him before the end of the month. What month? September. She had produced it in time, and her brother's missive must have conveyed to her some information respecting the missing article of jewellery. The elation of spirits in which I had indulged took flight; I had *not* discovered the clue.

I set myself again to work. I felt now as a man feels who is hunting out a great mystery or a great criminal, and upon the success of whose endeavour his own safety depends. It seemed to me as if it were not so much Edward Layton's case as my own in which I was engaged. Never in the course of my career have I been so interested. I determined to set aside the words, "Death stares me in the face, send money in-

stantly," and to search, in the words that remained, for the true meaning of Eustace Rutland's first communication. I copied them in the order in which they were arranged, and they ran as follows:

T 20 X 2 C 14 H 7 E 3

17 D

birds the 9

B

in runs back got I 6

F

your hundred 10

M

trees the won are 11

J

river diamond gaily 1

A

on bracelet four singing 8

K

cherry the 19

T

R

W 18 12

13 B 5 N 16 P 15 V 4 U

I counted the number of words; there were twenty-two. Now, was the true reading of the communication contained in the whole of these twenty-two words, or in only a portion of them, and if in only a portion, in what portion? In how many words? There lay the difficulty. The words "diamond bracelet," gave me a distinct satisfaction, but there were other words which I could not by any exercise of ingenuity connect them with—such as "birds"—"trees"—"river"—"gaily"—"cherry"—"singing." Undoubtedly the communication was a serious one, and these words seemed to be inimical to all ideas of seriousness. How to select? What to select? How to arrange the mystery? What was the notation? Ah, the notation! I had discovered the notation of the sentence I had set aside for the time. What if the same notation would lead me to the clue I was in search of? The arrangement of the figures from 1 to 9 was arbitrated by the first letter in the alphabet, A. I would try whether that arrangement would afford any satisfaction in the twenty-two words that remained. It would be an affection of vanity on my part if I say that this idea occurred to me instantly. It did not do so. It was only after long and concentrated attention and consideration that it came to me, and then I set it immediately into practical operation. The first

figure in the sentence I had discovered was 6. I counted six in the present arrangement of the words. It ended with the word "Got." Crossing out the word "Got," and placing it upon a separate sheet of paper, I proceeded. The second figure in the sentence I had discarded was 2. I counted two on from the word "Got," and arrived at "Your." I crossed out this word "Your," and proceeded. The third figure in the sentence I had discarded was 7. I counted seven words on from "Your," and came to "Diamond." I treated this word in a similar way to the last two, and continued the process. "Got your diamond." Now for "Bracelet." The next figure was 3. I counted on three words from "Diamond," and came to "Bracelet."

I was more excited than I can describe. There is scarcely anything in the world that fills a man with such exultation as success, and I was on the track of success: "Got your diamond bracelet." The following figure was 9. I counted on nine, and came to the word "Back." "Got your diamond bracelet back." I continued. The next figure was 1. This was represented by the word "I." The next figure was 4, represented by the word "Won." The next figure was 5, represented by the word "Four." The next figure was 8, represented by the word "Hundred." I continued the same process and came back to the figure 6,

represented by the word "On." The next figure was 2, represented by the word "Cherry."

I stopped here, for a reason, and I read the words I had crossed out and written on a separate sheet of paper. They ran thus:

"Got your diamond bracelet back I won four hundred on Cherry."

It was not without a distinct reason that I paused here. Mixing with the world, and moving in all shades and classes of society, I must confess —as I have no doubt other men would confess if they were thoroughly ingenuous—to certain weaknesses, one of which is to put a sovereign or two (seldom more) upon every classic horse race, and upon every important handicap during the year. I nearly always lose—and serve me right. But it happened, strangely enough, that in this very month of September, during which Eustace Rutland sent his mysterious communications to his sister Mabel, one of the most celebrated handicaps of the year was won by a horse named Cherry, and that I had two sovereigns on that very horse. It started at long odds. I remembered that the bet I made was two sovereigns to a hundred, and that I have won what is often called a century upon the race. I was convinced that I had come to the legitimate end of Eustace Rutland's letter: "Got your diamond bracelet back. I won four hundred on Cherry."

This young reprobate, then, was indulging in horse-racing. His sister Mabel had written to him an account of the scene between herself and her father at the dinner party. She had given him her diamond bracelet to extricate him from some scrape, and he had been luckily enabled, by his investment on the horse Cherry, to redeem it —most likely from the pawnbroker—in time for his sister to exhibit it to her father. So as to be certain that I had got the proper clue, and had arrived at the gist of Eustace's communication, I wrote down the words that remained which were:

"Birds—the—the—in—are—the—trees—runs —rivers—gaily—singing."

It was an easy task now for me to apply the same test to these remaining words, and I found that they formulated themselves in this fashion:

"The river runs gaily. The birds are singing in the trees."

I was curious to ascertain whether there was any special sign in the framework of Eustace Rutland's communication by which the person engaged with him in the mystery-letter could be guided. I counted the words in each sentence. The words in the first sentence were nine—the Nine of Hearts. The number of words in the second sentence were eleven. The number of words in the

third sentence were eleven. After the alphabetical letter A in the framework I saw the figure 11, and I was satisfied, the last eleven words being meaningless, that it was the second sentence of eleven words, referring to the diamond bracelet and to his winning on Cherry, that Eustace wished his sister Mabel to understand. At the same time I was satisfied in my own mind that, without the Nine of Hearts to guide him, a man might spend days over the cryptograph without arriving at the correct solution.

I had taken no count of the passing time. Engrossed and absorbed in my occupation, I was surprised when it had reached what I believed to be a successful termination, to find that it was nearly six o'clock in the morning.

IV.

Dr. Daincourt called while I was dressing, after a few hours' sleep. I am not usually a dreamer, but I had a dream so strange that I awoke with the memory of it in my mind. It was of hands, ladies' hands, every finger of which was covered with rings. Holding the theory, as I have already explained, that the imagination during sleep is not

creative, but invariably works upon a foundation of fact, I was endeavouring to trace the connection between my singular dream and some occurrence or circumstance within my knowledge, when Dr. Daincourt entered.

"Well," were his first words, "have you made anything of the letters I left with you last night?"

"I was employed only upon one," I said, "which kept me up until six o'clock this morning. I don't begrudge the time or the labour, because I have discovered the clue to Master Eustace Rutland's communications to his sister."

"That means," said Dr. Daincourt, excitedly, "that you have discovered the mystery of the Nine of Hearts."

"In so far," I replied, "as respects the playing cards found in Miss Rutland's desk, yes, I have discovered that part of the mystery; but I have not yet discovered the mystery of the particular Nine of Hearts which was found in the pocket of Edward Layton's ulster."

I showed Dr. Daincourt the result of my labours on the previous night, and he was delighted and very much interested, but presently his face became clouded.

"I am still disturbed," he said, "by the dread that the task you are engaged upon may bring Miss Rutland into serious trouble."

"I hope not," was my rejoinder to the remark, "but I shall not allow considerations of any kind to stop me. Edward Layton is an innocent man, and I intend to prove him so."

"If he is innocent," said Dr. Daincourt, "then Miss Rutland must also be innocent."

"Undoubtedly," I said, with a cheerful smile, which did much to reassure the worthy doctor.

"Have you opened the two sealed letters," asked Dr. Daincourt, "which I brought from Mrs. Rutland's house?"

"No," I replied. "I have devoted myself only to the first of the opened letters found in Miss Rutland's desk. I shall proceed immediately with the second, and then I shall feel myself warranted in opening and reading the letters which arrived for Miss Rutland during her illness. By the way, doctor, I have had a singular dream, and upon your entrance I was endeavouring to track it. It was a dream of ladies' hands, covered with rings."

"Any bodies attached to the hands?" inquired Dr. Daincourt, jocosely.

"No; simply hands. They seemed to pass before my vision, and to rise up in unexpected places—pretty, shapely hands. But it was not so much the hands that struck me as being singular as the fact that they were covered with rings of one particular kind."

"What kind?"

"I must have seen thousands of rings upon the shapely fingers, and there was not one that was not set with diamonds and turquoises."

A light came into Dr. Daincourt's face.

"And you mean to tell me that you can't discover the connection?"

"No; I can't for the life of me discover it."

"That proves," said Dr. Daincourt, "how easy it is for a man engaged upon a serious task to overlook important facts which are as plain as the noonday sun."

"What facts have I overlooked, doctor?"

"Have you the newspapers in the room containing the reports of the trial?"

"Yes."

"Give me the one containing the report of the third day's proceedings?"

I handed it to him, and he ran his eyes down the column in which the evidence of the waiter in Prevost's Restaurant, was reported.

"The waiter was asked," said Dr. Daincourt, "whether the lady who accompanied Edward Layton was married, and whether there were rings upon the fingers of her ungloved hand?"

"Yes, yes," I cried, "I remember! And the waiter answered that she wore a ring of turquoises and diamonds. Of course, of course. That explains my dream."

"Yes," said Dr. Daincourt, "that explains it."

"I need no further assurance," I said, "to prove that it was Miss Rutland who was in Edward Layton's company on the night of the 25th of March, but I wish you to ask her mother whether the young lady possesses such a ring, and is in the habit of wearing it. Your face is clouded again, doctor. You fear that I am really about to bring trouble upon Miss Rutland. You are mistaken; I am working in the cause of justice. If I prove Edward Layton to be innocent, no shadow of suspicion can rest upon Miss Rutland. You must trust entirely to me. Can you not now understand why Edward Layton refused to be defended by a shrewd legal mind? He would not permit a cross-examination of any of the witnesses which would bring the name of Mabel Rutland before the public. To save her honour, to protect her from scandal and calumny, he is ready to sacrifice himself. He shall not do so. I will prevent it. Your patient is in a state of delirium, you tell me. She knows nothing of what passes around her, she recognizes no one, she has not heard of the peril in which Edward Layton stands. Say that she remains in this state of ignorance until Edward Layton is sentenced and hanged for a crime which he did not commit—say, then, that she recovers and hears of it—reads of it—why, she will go mad! It

would be impossible for her to preserve her reason in circumstances so terrible. There is a clear duty before us, Dr. Daincourt, and we must not shrink from it. I need not urge upon you to use your utmost skill to restore Mabel Rutland to health, and to the consciousness of what is passing around her. If before Edward Layton is put again upon his trial I do not clear him, I shall not hesitate to make some kind of appeal to Miss Rutland which, even should she remain delirious, shall result in favour of the man who is so nobly and rashly protecting her good name."

"Remember," said Dr. Daincourt, gravely, "that she is in great danger."

"You mean that she may die soon?"

"Yes."

"But not suddenly?" I asked in alarm.

"I think not suddenly."

"Still," I said, "there is a chance of her being restored to health?"

"Yes, there is a chance of it."

"If the worst happens," I said, "is it likely that she would recover consciousness before her death?"

"It is almost certain that she would."

"Then it would be necessary," I said, "to take her dying deposition. Doctor, it is my firm conviction that the man and the woman who entered Edward Layton's house after mid-

night on the 25th of March were not Edward Layton and Mabel Rutland."

"But the coachman drove them home!" exclaimed Dr. Daincourt.

"So he said."

"And took them from Prevost's Restaurant."

"So he said. Recall that part of the coachman's evidence bearing upon it. He says that Edward Layton, accompanied by a lady, issued from the restaurant at five minutes to twelve, that Layton appeared excited, which he, the coachman, attributed to the fact of his having taken too much wine. To rebut this we have the evidence of the waiter, who declared that Layton simply tasted the wine that was ordered. He could not have drank half a glass. The man and the woman who came from the restaurant jumped quickly into the carriage, and but one word, "Home!" was uttered in a thick voice. Now, Layton, in his ridiculously weak cross-examination, put two questions to the witness. 'Did it occur to you,' he asked, 'or does it occur to you now, that the voice which uttered that word was not my voice?' The witness replied that it had not occurred to him. Then Layton said, 'You are certain it was my voice?' And the witness replied, 'Yes, sir.' To me, these two questions put by Layton are

convincing proof that it was not he who entered the carriage from Prevost's Restaurant."

"But he wore his ulster," said Dr. Daincourt.

"Here, again," I said, "we have evidence which, to my mind, is favourable. The waiter testifies that when Layton entered the room in which the supper was ordered, he took off his ulster and hung it on a peg in the wall, at some distance from the table at which he sat. Moreover, he sat with his back to the coat. Layton, in his cross examination, asked the waiter, 'Did I put the overcoat on before I left the room?' The waiter replied, 'Yes.' The judge intervened with the rebuke, 'You have said in examination that you did not see the prisoner and his companion leave the room.' And the witness replied, 'But when I returned, after being away for three or four minutes, Monsieur was gone, and the coat was also gone.' The prisoner put his last question to the waiter, 'You did not see me put on the overcoat?' And the witness answered 'No.' Doctor, I see light. Bring me news of the ring set with turquoises and diamonds. I shall be at home the whole of the evening."

After Dr. Daincourt's departure, I made a hurried breakfast, went through my correspondence, and resumed my task of examining Eustace

Rutland's letters to his sister. The second opened communication was exactly of the same shape and form as the first which I had deciphered. I give here an exact copy of it.

K 10 N 17 D 6 L 13 C 1

3 R

A of to distraction start 19

12 awfully yours an till I E

X at love hard night 5

7 W

F up angel chester power my 11

14 corner her ida all o'clock G

2

S is death in will T

20 nine I do Tuesday 15

M H

8 ſ 16 V 4 B 18 P 9

The notation of the nine figures, representing the nine pips in the playing card, in Eustace's first communication was 6, 2, 7, 3, 9, 1, 4, 5, 8. Taking as my guide the alphabetical letter A, I found that the notation in Eustace Rutland's second communication was 3, 6, 1, 5, 2, 9, 4, 8, 7. I placed the playing card, with its pips cut out, over the paper, and the following was revealed :

"Of—street—at—night—chester—corner—o'clock—nine—Tuesday."

Arranging these words according to the new notation of figures, they formed this sentence:

"At corner of Chester Street Tuesday night nine o'clock."

"Now," thought I, "this may have been an appointment."

If so—and nothing was more likely—I could derive no assistance from it. It conveyed no information, and contained nothing which would assist me in my inquiries. It was very likely that I should light upon something further, and I proceeded with my task. The figure immediately following the alphabetical letter A was 12, which meant, if I were on the right track, that the second sentence in this communication was composed of twelve words. I followed the same process I had previously employed, and the twelve words formed themselves thus

"Awfully hard up ida is an angel I love her to distraction."

So as to finish this communication, I unravelled the last ten words, and found them to be:

"I will do all in my power yours till death."

This I set aside as being intended to convey no meaning. The first sentence, making an appointment at the corner of Chester Street, was, whether correct or not, of little importance. I concentrated my attention upon the second sentence of twelve words: "Awfully hard up Ida is an angel I love her to distraction."

So, the young scamp was hard up again, and knew that his sister would respond to his appeal. And he was in love, too, and ida was an angel. Ida, of course, with a capital I.

I jumped to my feet as if I had been shot. Ida! What was the name of Mrs. Layton's maid who had given such damning evidence against the man I meant to set free? Ida White!

Not a common name. An unusual one. I walked about the room in a state of great excitement. Ida White, the angel, and Eustace Rutland, the scamp. But the woman must be, at least, eight or ten years older than Eustace. What mattered that? All the more likely her hold upon him. Young fools frequently fall in love with women much older than themselves, and

when the women get the chance they don't let the youngsters escape easily. Yes, opposite to each other stood two men—one a worthless ne'er-do-well, the other a martyr! Opposite to each other stood two women—one a scheming woman of the world, the other a suffering, heart-broken girl! I would save the noble ones. Yes, I would save them! The chain was forming link by link.

* * * * * *

I broke off here to despatch telegrams to two of my confidential agents. My instructions to them were to employ themselves immediately in discovering where Ida White, the maid who had given evidence against her master at the trial, was living, and having found it, not to lose sight of her for a single moment, but to set a strict watch upon her, and to take note of her proceedings and movements, however trivial they might be. These telegrams being despatched, I returned to my task.

The two sealed letters which Dr. Daincourt had received from Mrs. Rutland lay before me. I took up the first which I knew to be in Eustace's handwriting. I opened it. It was of a similar nature to the two I had already examined and interpreted. There is no need here to repeat the details of the process by means of which I read

is third communication, a copy of which I also append:

C	11	S	2	J	11	A	7	N	13	
8										G
H	know		am	I	me		address			1
16	I		I		be		an			D
M	me		awful		me		the			19
4										L
X	innocent		laid		to		that	guilty		15
20	find		do		against		you			R
K	not		charge		am		not	desert		9
14	old		swear		may		where			B
V										10
3	F	17	P	9	W	6	12	E	5	F

I will simply say that the notation was 7, 1, 9, 5, 6, 3, 4, 8, 2, and that the words resolved themselves into the following:

"You know where to find me. The old address."

"An awful charge may be laid against me. I am not guilty."

"Do not desert me. I swear that I am innocent."

I decided that the whole of this was intended to be conveyed to Mabel Rutland's understanding, and that in the last of Eustace's communications to his sister there was not one idle word.

"An awful charge may be laid against me." That charge, undoubtedly, was the murder of Mrs. Layton. "I am not guilty. I swear that I am innocent." But all guilty men are ready to swear that they are innocent. Not a moment was to be lost in setting my agents to work to discover Eustace Rutland's address, as well as the address of Ida White. I quickly opened the letter which Edward Layton had written in prison to Mabel Rutland, and which I had posted. It was very short, to the following effect:

"DEAR MISS RUTLAND,—All is well. Have no fear. Do not write to me until you hear from me again."

"Believe me, faithfully yours,

"EDWARD LAYTON."

Thus it was that he endeavoured to keep from the woman he loved the true knowledge of the peril in which he stood. To save her good name, he was ready to go cheerfully to his death.

V.

I rose early this morning in the expectation of a busy day. Dr. Daincourt called on Saturday evening as I had expected, and narrated to me the result of his inquiries respecting Mabel Rutland's jewellery. Among it there was a ring set with turquoises and diamonds which had been given to her by her mother, and which she wore constantly. Dr. Daincourt had received from Mrs. Rutland further instances of the profound attachment which Mabel bore for her twin brother.

"Deep as was her love," Mrs. Rutland had said, "for Mr. Layton, there is in her love for her brother an element so absorbing that she would not hesitate to make the most terrible sacrifices for his sake. My poor Eustace! It is weeks since I saw him, and I have no idea where he is. He is not altogether to blame, doctor; he has been led away by bad companions. Ah, when I think of him and Mabel as little children, and see them, as I often do, playing their innocent games together—when I think of the exquisite joy we drew from them, and of the heavenly happiness they were to us, it seems to me that I must be under the influence of some horrible dream that things have changed so!"

At half-past nine o'clock one of my confidential agents, Fowler by name, made his appearance.

"Found, sir," was the first thing he said to me.

"Who?" I quickly asked.

"Ida White. Living at Brixton. The drawing-rooms. Quite a swell in her way, sir."

"Is she living alone?"

"So far as we can make out. There are two men now on the watch, one to relieve the other."

"And Mr. Eustace Rutland?" I asked.

"Haven't got track of him yet, sir. The week is rather against us."

"What do you mean by that?"

"Why, sir, you don't forget that it is Derby week, do you? I suppose you backed one, but I can give you the straight tip if you want it."

"I backed Paradox for a couple of sovereigns," I said. (Where is the man who does not take an interest in the Derby?)

"Not in it, sir. There is only one horse will win, and that is Melton."

"But," I said, coming back to the all-engrossing subject I was engaged upon, "what difference will the Derby week make to you?"

"Well, you see, sir, London is so full. There is too much rushing about for calm, steady work. In such a task as ours a man wants a double set of eyes this week. Suppose my lady takes it into her head to go to the Derby? It will be all a job not to lose sight of her."

"What lady do you refer to?"

"Ida White, to be sure. She's a bit of blood, sir, and the result of the Derby may mean a lot to her."

"Does she bet, then?"

"There is not much doubt of that, sir."

"How did you discover it?"

"Oh easily enough. We have ways of our own. Why, sir, when I found out last night where she lives, what did I do an hour afterwards but present myself to the landlady of the house and ask her whether she could let me have a room for a week or two? I didn't tell you that there was a bill in her window, 'A Bedroom to Let to a Single Young Man.' Well, if I ain't a single young man, what is that to do with anybody—except my wife? I'm a soft-spoken chap when I like, and before the landlady and me are together five minutes I'm hand and glove with her, and already a bit of a favourite. So I take her room and sleep there last night, and the first thing this morning downstairs I am at the street door when the postman comes with the letters. Well, sir, would you believe it, he delivers five letters, and every one of them for Miss Ida White? I, opening the door for the postman, take the letters from him, and hand them one by one to the landlady, who comes puffing and panting up from the basement—she weighs fourteen stone, if she weighs an ounce. 'Miss Ida White," says I, giving her the first letter. 'Miss Ida White,' says

I, giving her the second letter. 'Miss Ida White,' says I, giving her the other three, one by one. 'Why, it is quite a correspondence!' All these letters are from Boulogne, sir, from betting firms. I know them by their outsides; I believe I should know them by the smell. Then, sir, there's something else. My lady is fond of newspapers. What kind of newspapers? Why, the sporting ones, to be sure. The *Sportsman*, *Sporting Life*, *Sporting Times*, *Referee*, and the like. Put this and that together, and what do you make of it, sir?"

"You are progressing, Fowler," I said.

"Yes, sir, we're moving. The landlady, bless her heart, she doesn't suspect what the letters from Boulogne are, but in less than a brace of shakes I worm out of her that Miss Ida White has received any number of them since she came to live in the house."

"Have you an idea what horse she has backed?"

"I have an idea that she has backed half-a-dozen, and that neither of the favourites is among them. When a woman bets, she wants fifty to one as a rule, and as a rule she gets it, and has to part."

I debated a moment or two, and then I showed Fowler one of the envelopes addressed by Eustace Rutland to his sister.

"Are you certain that none of the envelopes you saw this morning were addressed in this handwriting?"

"Quite certain, sir."

"I should like to see the house that Miss Ida White lives in, Fowler?"

"Nothing easier, but I shouldn't go as I am if I were you."

"Why not?"

"Well, you see, she had a pretty long examination in court at the Layton trial, and you were there all the time. She has sharp eyes in her head, has Miss Ida White, and she might recognize you, and smell a rat."

"You are right. I had better not go."

"I don't see why you shouldn't, if you let me fix you up."

"Fix me up?"

"Yes, sir."

He took from his pocket a small box of paints, and two or three sets of wigs and whiskers and moustaches.

"I always travel with them, sir. I can make myself into another man in five minutes or so, and as for a change of clothes, any handy cheap clothes shop will serve my turn. Put on these sandy whiskers and moustaches—always hide your mouth, sir—and this sandy wig, and let me touch you up a bit, and your own mother wouldn't know you."

I doubted whether she would when I looked at myself in the glass after carrying out Fowler's instructions, and in less than a quarter of an hour we were riding in a four-wheeled cab to Brixton. We alighted within a couple of hundred yards of Miss Ida White's lodgings, and Fowler took me boldly into the house, requesting me on the way thither to try and discover the men working under him, who were keeping watch upon the lady's-maid's movements. To his gratification I failed to discover them.

"Then you didn't see me give the office to them?" he asked.

"No," I replied.

"I did, though, under your very nose. That is a guarantee to you, sir, that the thing is being neatly done. Miss White is in the house. If she were not, my men wouldn't be in the street. Did you hear the snapping of a lock downstairs?"

"No."

We were sitting at the window of Fowler's room, which was situated on the second floor. It was the front room, and we could, therefore, see into the street.

"It was the key turning in my lady's room. She is going out. There's the street door slamming. You heard that, of course?"

"Yes, I heard that."

"And there is Miss Ida White crossing the

road to the opposite side of the way, and there, sir, are my men following her, without her having the slightest suspicion that she is being tracked."

My sight is strong, and I had a clear view of Ida White. She was stylishly dressed, and was certainly good looking.

"It is my opinion," said Fowler, "that she feathered her nest when she was in Mrs. Layton's service, but I don't care how much money she may have saved or filched; if she goes on betting on horses, the bookmakers will have every penny of it."

There was nothing more to be done, and feeling somewhat ill at ease in my disguise, I prepared to leave.

"I will see you out of the street, sir," said Fowler. "It happens often enough that watchers are watched, without their being aware of it."

Before I bade Fowler good day I impressed upon him that no money was to be spared in the business I had entrusted to him, and that he had better engage two or three more men to be ready for any emergency that might occur. He promised to do so, and I made my way home.

VI.

The Day after the Derby.

Before commencing an account of what has been done, and what discovered, I cannot refrain

from writing one sentence. Success has crowned our efforts.

There is no need here to minutely describe our proceedings on Monday and Tuesday. Sufficient to say that I was in constant communication with Fowler—who is a most trustworthy fellow, and shrewd to the tips of his nails—and that I had occasion on Tuesday to again assume my disguise. On Tuesday night I saw Dr. Daincourt, and was glad to learn from him that there was an improvement in Miss Rutland's condition.

"Due," he observed, "in a great measure to certain assurances I imparted to her in a voice so distinct and cheerful as to impress itself upon her fevered imagination."

"That is good news," I said. "You are administering what she requires, medicine for the mind."

I come now at once to the account of one of the most exciting days—the Derby Day of 1885—I have ever passed through. Fowler was in my house at seven o'clock in the morning, and brought with him a suit of clothes which he wished me to wear. He had forewarned me that he intended to make a change in his own appearance, and I was therefore not surprised when he presented himself in the guise of a well-to-do farmer who had come to London to see the Derby.

"Miss White is going, sir," he said, "and we

are going, too. I have been living in the house with her these last two days, and it is important that she should not recognize me. I have a piece of satisfactory information for you. It is an even bet that before this day is out I bring you face to face with Mr. Eustace Rutland.

"If you do," said I, "you will lose nothing by it. Bring me into the same room as that young man, and I will wring from him what I desire to know."

"Don't get excited, sir," said Fowler. "Keep cool. You have had a good night's rest, I hope."

"Yes, I slept well."

"That's right. Make a hearty breakfast, as I am going to do. We shall need all our strength. It is going to be a heavy day for us."

"Where does Ida White start from?" I asked.

"I can't tell you, sir. I pumped the landlady of the house, but she knew nothing except that a new bonnet had arrived for our lady-bird. Miss White is as close as wax, but that new bonnet means the Derby, if it means anything. She can't very well start before nine o'clock, and we shall be on the watch for her not later than half-past eight. I have six men engaged in the affair, sir. It will cost something."

"Never mind the cost," I said; "it is the last thing to be considered."

"That is the way to work to success. Many a ship is spoilt for a ha'porth of tar. We shall

come out of this triumphant, or my name is not Fowler."

His confident, hopeful manner inspired me with confidence, and after partaking of a substantial breakfast we both set out for Brixton. Fowler had hired a cab by the hour, with a promise of double fare to the driver, to whom he gave explicit instructions. We did not enter the house; we lingered at the corner of a street at some distance from it, and at twenty minutes to ten Miss Ida White closed the street door behind her. Secret signals passed between Fowler and his men, and we followed the lady's maid, the cab which Fowler had engaged crawling in our rear without attracting attention. Miss White sauntered on until she came to a cabstand, and entering a cab, was driven away. We were after her like a shot. Two other cabs started at the same time, and I learned from Fowler that they were hired by his men.

"Don't think I have drawn off all my forces, sir," he said. "Although Miss White has left the house, there are two men on watch, who will remain there the whole of the day. She has started early. It will make it all the easier for us."

Miss White's cab stopped at Victoria Station, and we stopped also.

"She's a smart looking woman, sir," whispered Fowler to me.

"She has a splendid complexion," I remarked.

"Put on, sir," said Fowler, smiling, "put on. Leave a lady's maid alone to learn the tricks of the face."

Ida White purchased a first-class ticket for Epsom Downs, and we did the same. Had I followed my own judgment I should have avoided the carriage in which Miss White travelled, but Fowler pushed me in before him, and got in afterwards, and being under his command I did not hesitate. He had purchased a number of newspapers, and shortly after we started he surprised me by opening a conversation with a stranger. He spoke with a Lancashire accent, and I should have been deceived by his voice had he not been sitting by my side. The subject, of course, was the Derby, and he appeared to be eager to obtain information as to the merits and chances of the various runners.

Meanwhile, Miss White, who had also purchased every sporting paper she saw, had taken from her pocket a Racing Guide in which the performances of the horses were recorded. She studied this Guide with great seriousness, and was continually consulting the newspapers to ascertain how far the opinions of the sporting prophets agreed with the information of the authority with which she had provided herself. "So," thought I, "this young woman, whose whole soul seems wrapped up in racing matters, is the same young

woman who in court declared that she hated races and betting men." Before we were half-an-hour on our journey I felt perfectly at ease in her presence. It was clear that she considered herself safe, and among strangers. The conversation between Fowler and the gentleman became more animated; others joined in, and I observed that Miss White's attention was attracted to their utterances. Every now and then she made a memorandum in a small metallic book, and before we arrived at Epsom Downs she allowed herself to be drawn into conversation, and freely expressed her opinions upon the horses that were to run for the blue ribbon of the turf. I did not venture to address her, but Fowler had no fear, and extracted from her the names of the horses she believed to have the best chances. He slapped his thigh, and declared that he should back them.

We alighted at Epsom Downs, and rode to the race-course. The great rush of the day had not yet set in, but although the Grand Stand was scarcely a third part filled, there were already many there who had taken up a favourable position from which to see the principal race of the day. Fowler improved upon his acquaintance with Miss White, and I obeyed the instructions he managed to convey to me not to stick too close to him. I did not lose sight of him, however, and presently he came, and said to me in an undertone—

"It's all right, sir; I'm making headway. I've told her where I come from in Lancashire, and that I am a single man with a goodish bit of property which has just fallen to me through the death of my father. I've given her my card—I had some printed yesterday in case they might be wanted. We are going upstairs to have a bit of luncheon before the races commence."

Upstairs we went to the luncheon-room, where Fowler called for a bottle of dry champagne, in which we drank good luck to each other. It was only by great exertions that we managed, after lunch, to squeeze ourselves into the Grand Stand. The crush was terrific up the narrow stairs, and Miss Ida White would have fared badly had it not been for Fowler's gallant attentions.

I have no intention to describe the race. It presented all the usual features of a Derby, to which I paid but little heed, my attention being concentrated upon Miss Ida White. She was greatly excited. There were some bookmakers on the Grand Stand shouting out the odds, and she must have invested at least a dozen sovereigns on different horses, the odds against which ranged from 40 to 60 to 1.

The race was over. Melton was hailed the winner. I knew that Miss White had not backed Melton for a shilling, and I watched the effect the result of the race had upon her. Her lips

quivered, her eyes glared furiously about. "Ida is an angel, is she?" thought I. "Ah! not much of the angel there."

A stampede commenced to the lower ground. The Grand Stand was half empty. Then it was that I saw a man who had just come up give a secret look of intelligence to Fowler, after which he strolled a few paces away, and stood with his back towards Miss White. Fowler joined him with a negligent air, and very soon returned.

"I am very sorry you lost," he said to Miss White, "and quite as sorry that I must wish you good-bye."

He took her aside, and had a brief conversation with her, in the course of which he slipped something into her palm, upon which her fingers instantly closed. Shaking hands with her, he beckoned to me, and we left the Grand Stand.

"What did you give her?" I asked.

"Only a card," he said, "with an address in London, to which she could write to me if she felt inclined. I told her that I had never seen a lady I admired so much, and that I hoped she would give me the opportunity of becoming friends with her. In an honourable way—oh, quite in an honourable way!" he added, with a laugh.

"And what are you leaving her for, now?" I inquired.

"Because I know where Mr Eustace Rutland

is to be found," he replied. "It will take two or three hours to get to the place, and I suppose it is best to lose no time."

"Decidedly the best," I said, "but how about Ida White?"

"She is safe enough. My men are all around her. She won't be left for an instant, wherever she may go. The gentleman I entered into conversation with in the train was one of my fellows. You are a great lawyer, sir, but I think I could teach you something."

"I have no doubt you could. Where does Eustace Rutland live?"

"In Croydon, at some distance from the station."

We did not reach Croydon until past six o'clock and it was nearly another hour before we arrived at the address which Fowler had received.

"That is the house, sir," he said, pointing to it. "It doesn't look very flourishing."

It was one of a terrace of eight sad-looking tenements, two stories in height, and evidently occupied by people in a humble station of life.

"Before we go in, sir," said Fowler, "I must put you in possession of the information I have gained. Mr. Eustace Rutland does not live there" —I started—"but Mr. Fenwick does. The young gentleman has thought fit to change his name; that is suspicious. He has lived there the last two

weeks, having come probably from some better known locality, the whereabouts of which I shall learn by and by. When I say he *came* from some better known locality I am not quite exact; it will be more correct to say that he was *brought* from some better known locality. He was very ill, scarcely able to walk, and is still very weak, I am given to understand. Now, sir, what do you propose to do? Do you wish me to go in with you, or will you see this young gentleman alone, without witnesses?"

"You are the soul of discretion, Fowler," I said, "and of shrewdness. I must see the young gentleman, alone, and without witnesses. Meanwhile, you can remain in the house, ready at my call, if I should require you. Keep all strangers from the room while I am closeted with him."

I knocked at the door, and inquired of the woman who opened it for Mr. Fenwick. She asked me what I wanted, and who Mr. Fenwick was.

"Mr. Fenwick lodges here," I said. "I am a friend of his, and I wish to see him."

"How do you know he lodges here?" asked the woman.

"Simply," replied Fowler, "because we happen to have received a letter from him with this address on it. What's your little game, eh, that you want to deny him to us?"

As he spoke he pushed his way into the passage, and I followed. The woman looked helplessly at us, and when Fowler said, with forefinger uplifted warningly, "Take care what you are about," she replied, "I don't know what to do; I am only following out my instructions."

"Your instructions," said Fowler, "were not to prevent Mr. Fenwick's friends from seeing him."

"I was told to admit no one," the woman said.

"And pray who told you?" demanded Fowler. "The lady?"

"Yes, sir," said the woman, "Miss Porter."

"Oh, Miss Porter," exclaimed Fowler. "A friend, of ours, also. Dark skinned. Black hair. Black eyes. Red lips. White hands. Rather slim. About five foot four."

"Yes, sir," said the woman.

Fowler had given a pretty faithful description of Miss Ida White.

"Well, then," said Fowler, whose ready wit compelled my admiration, "there is no occasion to announce us to Mr. Fenwick. Show this gentleman the room, and while they're chatting together, I will have a little chat with you."

"It is on the first floor," said the woman.

"Of course it is," said Fowler; "the first floor front, the room with the blind pulled down. Do you think I don't know it? How is the young gentleman?"

"Not at all well, sir."

I heard this reply as I ascended the stairs, in compliance with a motion of Fowler's head. When I arrived at the door of the room occupied by Fenwick, otherwise Eustace Rutland, I did not knock, but I turned the handle, and entered. A young gentleman who had been lying on the sofa jumped up upon my entrance, and cried,

"Who are you? What do you want?"

I closed the door, and turned the key in the lock.

"What do you do that for?" he exclaimed.

"You will very soon know," I replied. "I am here for the purpose of having a few minutes' conversation with Mr. —— shall I say Fenwick?"

"It is my name."

"If I did not come as a friend I should dispute it, and even as a friend I shall venture to dispute it. Your proper name is Eustace Rutland."

He fell back upon the sofa, white and trembling.

"What do you mean? Why are you here?' he gasped.

"I will tell you," I said. "The time for evasion and concealment is past. Your sister——"

"My sister!" interrupted Eustace. "I do not understand you."

"You do understand me. You have a sister—a twin sister—whose name is Mabel. She lies at the point of death, and you have brought her to it."

He covered his face with his hands, and I judged intuitively that there sat before me a young man who, weak-minded and easily led for evil as he might be, was not devoid of the true instincts of affection.

"Did you know of her condition?" I asked.

"No," he replied, in a trembling voice. "Is it true? Is it true?"

"It is unhappily true, and it may be that it lies in your power to rescue from the grave the innocent young girl who has devoted her life and happiness to you."

"My God! my God!"

"I will not deceive you. Such happiness cannot come to pass if you are guilty."

"I am not guilty!" he cried, starting to his feet. "God knows I am not guilty!"

"Swear it," I exclaimed, sternly.

"By all my hopes of happiness," he exclaimed, falling upon his knees, "by my dear Mabel's life, by my dear mother's life, I swear that I am innocent!"

He was grovelling on the floor, and I assisted him to rise.

"And being not guilty," I said, solemnly, "you were content to remain in hiding, while another man was accused of the crime which neither he nor you committed! And being not guilty, you would have waited until he was done to death

before you emerged once more into the light of day! I believe you when you say you did not know of your sister's peril, but you knew of the peril in which Edward Layton stood. Don't deny it. Remember, the time of evasion has passed."

"Yes," he murmured, "I knew it."

"Why did you not come forward," I said, indignantly, rushing as if by an inspiration of reasoning to the truth, "to affirm that you and Ida White were in Prevost's Restaurant, in the very room in which Edward Layton and your sister entered, on the night of the 25th of March? Why did you not come forward to affirm that it was you who—by a devilish prompting—took Edward Layton's ulster, unknown to him, from the peg upon which it was hanging, and went out with your paramour to the carriage in which he and your sister had arrived? Answer me. Why did you not do this, to prevent a noble and innocent man from being condemned for a murder which he did not commit?"

"It was no murder!" cried Eustace. "It was no murder! She died by her own hand!"

"She died by her own hand!" I echoed, bewildered by this sudden turn in the complexion of the case.

"Yes," said Eustace, "by her own hand. Upon the table by her bedside there was written evidence of it."

"Which you removed?" I cried.

"No, not I, not I! Of which *she* took possession!"

"Speak plainly. Whom do you mean by she—Ida White?"

"Yes."

I paused. Truth to tell, I was overwhelmed by these disclosures.

"Bear this steadfastly in mind," I said, presently, in a calm, judicial tone. "You are in the presence of a man who has sworn to rescue the innocent. You are in the presence of a man who has sworn to bring the guilty to justice. Upon me depends your fate. I can save or destroy you. If by a hair's-breadth of duplicity and evasion you attempt to deceive me, your destruction is certain. This is the turning point of your life. Upon your truthfulness rests your fate. Open your heart to me, not as to your enemy, but as to your friend, and relate to me, without equivocation, the true story of your life, from the time you commenced to plunge into dissipation and disgrace."

Awed and conscience-stricken, he told me the story. In the course of his narration I was compelled frequently to prompt and encourage him, but that, in the result, it was truthfully told I have not a shadow of doubt.

His career at college ended, he came to London. There he made the acquaintance of Edward Layton's father, a man who, although well on in years,

was as weak-minded as he was himself. They entered into a kind of partnership, in which, no doubt, the elder man, now in his grave, was the leader and prompter. From Eustace's description of Edward Layton's father I recognized a man weak-minded as Eustace himself was, and whose inherent honour and honesty were warped by his fatal passion for gambling. Old Mr. Layton, for a long time, kept his infatuation from the knowledge of his son, and it was not until he was actually involved in crime and disgrace that Edward became aware of it. Long before this Edward had, through his engagement with Mabel Rutland, been employed in the helpless task of endeavouring to save her beloved brother, but when the knowledge of his own father's disgrace was forced upon him, he knew that all hope of Mabel's father consenting to his marriage was irretrievably gone. It was not only that the young and the old man had lost money in betting, it was that they had actually been guilty of forging bills, which Mr. Beach, the father of the woman whom Edward Layton afterwards married, held in his possession. It was this that first took Edward Layton to Mr. Beach's house. Mabel had implored him to save her darling brother, against whom Mr. Beach had threatened to take criminal proceedings. I do not at this moment know whether Edward Layton had revealed to Mabel the disgrace which hung, also, above his

father; but that is immaterial. Agnes Beach, Mr. Beach's only child, saw and fell in love with Edward Layton, and her father, disreputable as he was, being devoted to his daughter, was guided by her in all that subsequently transpired. The bills he held he determinedly refused to part with, unless Edward Layton married his child.

In the terrible position in which he was placed, knowing that Mabel Rutland was lost to him for ever—knowing how deeply and devotedly she loved her brother Eustace—knowing the disgrace which hung over his own name, he saw no other way to prevent utter ruin than to enter into this fatal engagement, and to marry a woman whom he did not love. But, with a full consciousness of the disreputable connection he was about to form, he laid no pressing injunction upon his father to recognize the unhappy union; and, indeed, old Mr. Layton, aware that he was in Mr. Beach's power, was by no means desirous to meet him. Love lost, honour lost, the sword hanging over his head, Edward Layton submitted to the sacrifice. There was no duplicity on his part. Agnes Beach knew full well that he did not love her. He received, as he believed, the whole of the forged bills which Mr. Beach held, and it was not until some time after his marriage that he discovered that three of these fatal acceptances had been withheld from him. At the time he made this dis-

covery he was leading a most unhappy life with his wife, and on more than one occasion she taunted him with the power she held over him.

It was shortly after the marriage that weak-minded Eustace made the acquaintance of Ida White. She was an attractive woman, well versed in the wiles of her sex, and she played upon him and entangled him to such an extent, that there was no escape for him. It is unnecessary here to enter into the details of this connection. It is sufficient to say that Ida White held Eustace Rutland completely in her power, with a firm conviction that if she could induce him to marry her, she could, after the marriage, obtain the forgiveness of Eustace's father—which would ensure her a life of ease and luxury. But there was still a certain firmness in the young man.

"Marry me," she said.

"I will marry you," Eustace replied, "when I get back the forged acceptances."

Where were they? In Mrs. Layton's possession.

Close as was the intimacy which existed between the unhappy lady and her maid, Mrs. Layton retained so jealous a possession of these incriminating documents that Ida White was not able to lay her hands upon them. In the company of Eustace Rutland she was supping in Prevost's Restaurant on the night of the 25th of March. She had slipped away from Mrs. Layton's house, as she had often

done before, to meet her young and foolish lover. She saw her master and Mabel enter the room, and observed Layton taking off his ulster. Then the idea suddenly entered her head that Eustace and she should personate her master and the young lady —with a full knowledge how deeply those two were compromised by their being together—and arrive home before them, by which time, doubtless, Mrs. Layton would be asleep. She knew that under her pillow Mrs. Layton kept the documents which Eustace frantically desired to obtain, and the possession of which would make her, Ida White, his wife. If Mrs. Layton awoke and resisted while the forged bills were being abstracted, Eustace would be at hand to use force, if necessary ; and it was principally from the wish to compromise her lover so deeply that he would not dare to break his promise to marry her, that she determined to put her idea into execution. She knew that, ordinarily, Edward Layton kept the latch-key of the street door in the pocket of his ulster. She disclosed the scheme to Eustace, and threatened him with exposure if he did not do as she desired. It was she who took the ulster from the wall of the restaurant, and it was she who, secretly and expeditiously, assisted Eustace to put it on ; then they stole out together, and entered the carriage. Before acquainting Eustace with her design she had ascertained that Edward Layton's carriage was

waiting for him and for Mabel. She trusted to her own resources to keep her master out of his house after she and Eustace had entered it.

Here a word is necessary as to the true meaning of Edward Layton's proceedings during the day and night of the 25th of March. Abandoned as were the hopes in which he and Mabel had once fondly indulged, she still relied upon his efforts to save her brother from harm. Eustace had lost heavily upon certain races. He had made a despairing appeal to her, and she called upon Layton to assist the erring lad. It was in the endeavour to discover Eustace that Edward Layton had driven from place to place to obtain from him the information necessary to rescue him from his peril. Mabel had, by letter, engaged to meet Edward Layton in Bloomsbury Square at ten o'clock on the night of that day, in order that he might relieve her anxiety with respect to her brother. How they met, and what transpired after they met, have been already sufficiently detailed.

Ida White's manœuvres were successful up to a certain point. She and Eustace entered the carriage, were driven home, and, unsuspected, obtained entrance into the house. The correspondence between Eustace and Mabel had been for some time conducted through the medium of the system of the Nine of Hearts, and it was either by an oversight or by accident that Eustace, during the

drive from Prevost's Restaurant to Edward Layton's house, took from his own pocket one of these cards, and let it drop into the pocket of the ulster. But when they were safely in Layton's house, and crept stealthily and noiselessly into Mrs. Layton's bedroom, they made the horrible discovery that Mrs. Layton, in a moment of frenzy, had emptied the bottle of poisonous narcotics, and had by her own will destroyed herself. The proof was at her bedside. When she had swallowed the fatal pills, the horror of the deed overwhelmed her. She summoned up sufficient strength to rise in her bed, to take paper and the pen from the inkstand, and before the death agony commenced in her sleep, to write upon that paper the confession which fixed upon her the crime of suicide.

Having reached this point of the strange story I demanded to know from Eustace Rutland what had become of that confession.

"Ida took possession of it," he said, "and I have not seen it from that moment to this."

"Why did you not come forward and make this public?" I cried.

"Because," was his reply, "Ida told me that, if what we had done became known, nothing could save us from the hangman."

"Did she obtain possession of the forged acceptances?"

"Yes."

"How was it that the tumbler from which the fatal draught was taken was on the mantelshelf?"

"Ida placed it there."

It was enough. The entire facts of this mysterious case were clear to me. I required nothing more to prove Edward Layton's innocence than the possession of the document, written almost in her death throes by his unhappy wife.

I unlocked the door, and called up Fowler. Briefly and swiftly I told him what was necessary, and said it was not at all improbable that this document was in Ida's White's lodgings at Brixton; and I had scarcely uttered the words before a rat-tat-tat came at the street door.

"It is she!" cried Eustace.

"Who?" I asked, in great excitement.

"Ida," he replied.

"It serves our turn exactly, sir," muttered Fowler to me, and then addressing Eustace, he said, "is that your bedroom?" pointing to a communicating door.

"Yes."

"We will go in there. Let the lady come up."

We disappeared, leaving the communicating door partially open, and the next minute I heard Ida White's voice.

"Cursed luck!" she cried. "I've lost eighty-five pounds to-day. I tell you what it is, Eustace

If we can't wheedle your old governor into forgiving us after we are married, we shall have to turn bookmakers ourselves. You shall take the bets, and I will do the clerking. It will be a novelty, and we shall make pots of money."

Eustace did not reply.

"Why don't you speak?" she continued. "Are you struck dumb?"

Then came Eustace's voice, like the cry of a despairing soul—

"You are a devil! Why have you driven me to this? I hate you, hate you, hate you! You fiend, you have killed my sister!"

Fowler did not wait for me to act. He seized me by the arm, and pulled me after him into the room.

"What!" screamed Ida; "you two!"

"Yes," said Fowler, and in the midst of my own excitement I could not avoid observing the expression of calm satisfaction on his face, "we two."

"What are you here for?"

"For reasons, Ida White," replied Fowler, "which may or may not be fatal to yourself. Follow what I am about to say. We have here a confession from this young gentleman which, if true—that is, if it can be proved by documentary evidence—will bring undoubted disgrace upon you, but neither death by the hangman's hands, nor penal servitude for life."

She recoiled, and echoed,

"Death! Penal servitude for life!"

"It is exactly as I have said. Death by the hangman's hands, or penal servitude for life. All is known. Your theft of the ulster at Prevost's Restaurant, and everything else. Your liberty at this moment rests upon a written document. If it never existed, or if you have destroyed it, you are doomed. If it exists, you are saved."

"You are a madman!" she cried, but her face was blanched, and her figure expressed the most abject terror.

"I am an officer of the law," said Fowler. "Now do you understand? If the confession written by Mrs. Edward Layton, and which, after her death, you took from the table by her bedside is in existence, you have nothing to fear. If it is not, you are a lost woman. No words, no parleying! It is life or death for you! The moment has come. Decide. Which way?"

Utterly overpowered, Ida White replied, with hands tremblingly raised, as if for mercy,

"I have the paper."

"Where?"

Her hands wandered to her pocket, and she took a purse from it.

"Here!"

"There is something else, lady-bird."

"What?"

"The papers you stole from underneath your

mistress's pillow. Ah! you have those also! Hand them over. Thank you, lady-bird. Very satisfactory—very satisfactory indeed. A happy termination to a most remarkable case!"

VII.

"*August 27th*, 1885.

"DEAR MR. LAING,—My intermediate letters will have placed you in possession of all that has occurred. Edward Layton is released with honour, and it has been the subject of hundreds of leading articles that the obstinacy of one juryman, who refused to be guided by circumstantial evidence, saved a noble young fellow from an unjust death. A great blow has been struck against the jury system. Eleven men wrong, and one man right!—people could hardly believe it. But it was so in this instance, and I have no doubt it has been so in others. You being now a married man, domestically happy and contented, the news I have to impart will give you pleasure. Edward Layton is in Switzerland. He has gone upon a long summer and autumn tour. Alone? No. Mabel Rutland, restored to health, is with him. Well, but that is not enough? I take a satisfaction in prolonging the interest I could almost fancy myself a novelist. Mr. and Mrs. Rutland are also of the company, and it is Mr. Rutland himself who invited Edward Layton to travel with them. In less than a year

from this date the lovers will be united, and faith and self-sacrifice will be rewarded. Mr. James Rutland, Mabel's uncle, to whose obstinacy Edward Layton undoubtedly owes his life — and before whose obstinacy Justice should bow — is also travelling with them. No one else? Yes. Mabel's brother, Eustace, repentant, humbled, reformed.

"I have had painted for me a very simple picture on a large canvas. It is the Nine of Hearts, which I intend shall always occupy the place of honour in my house. It cannot fail to attract attention, and when inquiries are made about it, I shall have a story to tell.

"With a full appreciation of your rare generosity, I remain, dear sir,

"Yours faithfully,

"HORACE BAINBRIDGE."

THE END.

Stirling, December 1892.

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